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Declaration

I, the undersigned, hereby declare that all the information in this thesis is my original work and has not been presented in any other institution other than the United States International University – Africa in Nairobi for academic credit.

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Abstract

This thesis attempts to analyze the US foreign policy towards Africa between 1989 and 2015. This period marks the end of the Cold War which has been experienced from 1945 to 1989. It is worth noting that before the Cold War period, with spectacular events in the international arena such as the scramble and partition of Africa and earlier the international slave trade, the US did not have direct foreign policy towards Africa. The US did not participate in the partition of Africa however the American citizens of African origin were concerned and protested the aim of European powers in colonizing Africa. This signaled the race factor in the US foreign policy making towards Africa.

During the Cold War period, the US sacrificed the foreign policy on promotion of democracy and human rights in Africa in order to block the spread of communism in Africa by the former Soviet Union. At the end of Cold War, the US embarked on serious bilateral and multilateral engagement with African nations. This thesis has analyzed the interventionist and partnership basis of US foreign policy towards African nations; and the role of the Congress in the policy decision-making process. Kenyan nation in the globalized world has had the experience of the interventionist US policy and the underlying element of public diplomacy under the aegis of intervention by the US government to prevent the spread of HIV and AIDS. As well Kenya has established a strong trade partnership under the banner of AGOA, a trade policy by the United States towards African nations. An illustration of textile manufacturing industry in Kenya dubbed Export Processing Zones is a success story of trade partnership between the US and Kenyan governments.
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<tbody>
<tr>
<td>ABC</td>
<td>Abstinence until marriage; Being faithful to your spouse or partner; and correct and consistent use of Condoms in coitus</td>
</tr>
<tr>
<td>ACP</td>
<td>African, Caribbean and Pacific</td>
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<tr>
<td>AGOA</td>
<td>African Growth and Opportunity Act</td>
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<tr>
<td>ACTIF</td>
<td>African Cotton &amp; Textiles Industries Federation</td>
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<tr>
<td>AF</td>
<td>Africa</td>
</tr>
<tr>
<td>USAFRICOM</td>
<td>US Africa Command</td>
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<tr>
<td>AIDS</td>
<td>Acquired immune deficiency syndrome or acquired immunodeficiency syndrome</td>
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<tr>
<td>AMPATH</td>
<td>Academic Model for the Prevention and Treatment of HIV</td>
</tr>
<tr>
<td>ARVs</td>
<td>Anti-Retroviral Therapy</td>
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<td>BARA</td>
<td>Baptist AIDS Relief Association</td>
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<tr>
<td>CIA</td>
<td>Central Intelligence Agency</td>
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<tr>
<td>CBO</td>
<td>Community Based Organization</td>
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<tr>
<td>CDC</td>
<td>Centers for Disease Control and Prevention</td>
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<tr>
<td>CDCS</td>
<td>Country Development and Cooperation Strategy</td>
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<tr>
<td>CT</td>
<td>Counseling and Testing</td>
</tr>
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<td>CQ</td>
<td>Congressional Quarterly</td>
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<tr>
<td>DOD</td>
<td>Department of Defence</td>
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<tr>
<td>EAC</td>
<td>East Africa Community</td>
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<td>EPC</td>
<td>Export Promotion Council</td>
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<tr>
<td>Acronym</td>
<td>Description</td>
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<tr>
<td>EPZ</td>
<td>Export Processing Zones</td>
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<td>EPZA</td>
<td>Export Processing Zones Authority – Kenya</td>
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<tr>
<td>FSOs</td>
<td>Foreign Service Officers</td>
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<tr>
<td>FSW</td>
<td>Female Sex Workers</td>
</tr>
<tr>
<td>GAO</td>
<td>General Accounting Office</td>
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<td>GES</td>
<td>Global Entrepreneurship Summit</td>
</tr>
<tr>
<td>GOK</td>
<td>Government of Kenya</td>
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<tr>
<td>GSP</td>
<td>Generalized System of Preferences</td>
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<tr>
<td>HIV</td>
<td>Human immunodeficiency virus</td>
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<tr>
<td>HBCPC</td>
<td>Home Based Care and Palliative</td>
</tr>
<tr>
<td>HIRC</td>
<td>House International Relations Committee</td>
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<tr>
<td>ICL</td>
<td>I choose Life</td>
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<tr>
<td>IDU</td>
<td>Injecting Drug Users</td>
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<tr>
<td>IDU</td>
<td>Intravenous Drug Users</td>
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<tr>
<td>ISAP</td>
<td>Industrial Sector Adjustment Program</td>
</tr>
<tr>
<td>IT</td>
<td>International Trade</td>
</tr>
<tr>
<td>KANCO</td>
<td>Kenya AIDS NGOs Consortium</td>
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<tr>
<td>KIPPRA</td>
<td>Kenya Institute of Public Policy Research and Analysis</td>
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<tr>
<td>KGGA</td>
<td>Kenya Girl Guides Association</td>
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<td>KNASP</td>
<td>Kenya National AIDS Strategic Plan</td>
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<tr>
<td>LGBTI</td>
<td>Lesbian, Gay, Bisexual, Transgender and Intersex</td>
</tr>
<tr>
<td>LWHC</td>
<td>Living With Hope Centre</td>
</tr>
<tr>
<td>Acronym</td>
<td>Full Form</td>
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<tr>
<td>MEACT</td>
<td>Ministry of East Africa Affairs, Commerce and Tourism</td>
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<tr>
<td>MFA</td>
<td>Ministry of Foreign Affairs</td>
</tr>
<tr>
<td>MRLs</td>
<td>Maximum Residue Levels</td>
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<tr>
<td>MSMES</td>
<td>Micro, Small and Medium Enterprises</td>
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<tr>
<td>MSM</td>
<td>Men Who Have Sex with Men</td>
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<tr>
<td>MSW</td>
<td>Men Who Sell Sex to Other Men (Male Sex Workers)</td>
</tr>
<tr>
<td>NACC</td>
<td>National AIDS Control Council</td>
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<tr>
<td>NAFTA</td>
<td>North America Free Trade Agreement</td>
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<tr>
<td>NASCOP</td>
<td>National AIDS and Sexually Transmitted Infection (STI) Control Programme</td>
</tr>
<tr>
<td>NC-AGOA</td>
<td>National Committee on AGOA</td>
</tr>
<tr>
<td>NCMCCC</td>
<td>Nimechill Media Campaign and Chill Clubs</td>
</tr>
<tr>
<td>NGO</td>
<td>Non-Governmental Organization</td>
</tr>
<tr>
<td>NRM</td>
<td>National Resistance Movement</td>
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<td>OIC</td>
<td>Opportunities Industrialization Center</td>
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<tr>
<td>OVA</td>
<td>Orphans and Vulnerable Children</td>
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<tr>
<td>OPIC</td>
<td>Overseas Private Investment Corporation</td>
</tr>
<tr>
<td>PA</td>
<td>Public Affairs</td>
</tr>
<tr>
<td>PD</td>
<td>Public Diplomacy</td>
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<tr>
<td>PEPFAR</td>
<td>President’s Emergency Plan for AIDS Relief</td>
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<tr>
<td>PLWHA</td>
<td>People Living with HIV/AIDS</td>
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<tr>
<td>PLWHI</td>
<td>People Living with HIV</td>
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<tr>
<td>PPD</td>
<td>Presidential Policy Directive</td>
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<td>Acronym</td>
<td>Full Form</td>
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<tr>
<td>POTUS</td>
<td>President of the United States of America</td>
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<tr>
<td>PRA</td>
<td>Pest Risk Analysis</td>
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<tr>
<td>PSI</td>
<td>Population Services International</td>
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<tr>
<td>PWID</td>
<td>People Who Inject Drugs</td>
</tr>
<tr>
<td>PWUD</td>
<td>People Who Use Drugs</td>
</tr>
<tr>
<td>SEZ</td>
<td>Special Economic Zones</td>
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<tr>
<td>SFRC</td>
<td>Senate Foreign Relations Committee</td>
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<td>SPS</td>
<td>Sanitary and Phyto-sanitary Standards</td>
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<tr>
<td>TCFP</td>
<td>Third Country Fabric Provision</td>
</tr>
<tr>
<td>UK</td>
<td>United Kingdom</td>
</tr>
<tr>
<td>UN</td>
<td>United Nations</td>
</tr>
<tr>
<td>UNAIDS</td>
<td>Joint United Nations Programme on HIV and AIDS</td>
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<tr>
<td>UNCTAD</td>
<td>United Nations Conference on Trade and Development</td>
</tr>
<tr>
<td>US</td>
<td>United States</td>
</tr>
<tr>
<td>USC</td>
<td>United States Center</td>
</tr>
<tr>
<td>USG</td>
<td>United States Government</td>
</tr>
<tr>
<td>USGAC</td>
<td>United States Global AIDS Coordinator</td>
</tr>
<tr>
<td>USIA</td>
<td>United States Information Agency</td>
</tr>
<tr>
<td>USIS</td>
<td>United States Information Service</td>
</tr>
<tr>
<td>USTR</td>
<td>United States Trade Representative</td>
</tr>
<tr>
<td>SSA</td>
<td>Sub-Saharan Africa</td>
</tr>
<tr>
<td>OPIC</td>
<td>Overseas Private Investment Corporation</td>
</tr>
<tr>
<td>PC</td>
<td>Peace Corps</td>
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</table>
PF Partnership Framework
PMTCT Prevention of Mother to Child Transmission
FP Third Country Fabric Provision
USGAC United States Global AIDS Coordinator
USAID United States Agency for International Development
VMMC Voluntary Medical Male Circumcision

**Definition of Terms**

**BIPOLAR**  
An international system in which two states hold a preponderance of political, military, and economic power.

**NONSTATE ACTOR**  
An international actor that is not a State or a representative of a State.

**UNIPOLAR SYSTEM**  
An international system in which one state holds a preponderance of political, military, and economic power.
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Chapter One

Introduction

The relation between Africa and the US dates back to 1619 when twenty (20) Africans arrived in the British North American colonies in a Dutch ship as indentured servants. It was however not until in the 1950s that relations between the US and Africa became significant. Before the Cold War period, with major global events notably the scramble and partition of Africa, and the slave trade; the US did not have direct foreign policy towards Africa. The US did not participate in the partition of Africa however; the American citizens of African origin were concerned and protested the aim of European powers in colonizing Africa. This signaled the element of race factor in the US foreign policy making towards Africa. During the Cold War period, the US sacrificed the foreign policy on promotion of democracy and human rights in Africa in order to block the spread of communism in Africa by the former Soviet Union.

The world has experienced different balance of power in view of international politics. And from 1945 to 1989, the world experienced bipolar power system, a period in which the US and the former Soviet Union controlled affairs of international politics. Though sovereignty amongst nations as they related internationally was observed; militarily, economically, politically and socially, all nations contended with the powers of the United States and the former Soviet Union in the international arena.
Currently the world is experiencing unipolar system of power in the international arena, a situation occasioned by the end of the Cold War in 1989. The Cold War refers to that period (1945-1989) when the two world powers, the former Soviet Union and the US experienced military and political tension after the end of World War II with no direct fighting. Each nation had its ideological mission including capitalist democracy in the case of the US and communism for the Soviet Union cause. At the end of the Cold War, the United States emerged the winner and assumed the role of sole superpower. The US power is based on its military, economic, political and social aspects. The US therefore in its efforts to offer global leadership engages with every nation, and thus the US foreign policy towards African nations is inevitable.

The major international relations events under which US foreign policy towards Africa are thus discussed include the Cold War and post-Cold War era. The role of the Congress in the legislation of US foreign policy is immensely important as it is the constitutionally mandated federal organ that passes laws and policies. The context under which the US formulates foreign policies towards Africa varies from interventionist to partnership. The thrust of this study unravels the extent to which policies categorized as interventionist and partnership have been experienced in Kenya in the areas of trade development under the banner of African Growth and Opportunity Act (AGOA) and the health sector on the prophylaxis of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS). Further the element of public diplomacy and public affairs which is closely intertwined with the interventionist approach to formulating US policy has been examined in the case of HIV/AIDS pandemic.
1.1 Statement of Research Problem

US foreign policy toward Africa is multifaceted in that in the 19th Century the quiet policy toward Africa was that of non-alignment and with no direct engagement. However, American citizens of African origin were always concerned and particularly with the colonization of Africa. The race factor has therefore been always significant in the formulation of US foreign policy toward Africa. During the Cold War, as the two world powers, the former Soviet Union and the US experienced military and political tension after the end of World War II with no direct fighting, the aim of US foreign policy in Africa was to prevent the spread of communism. Authoritarian governments in Africa were supported by the US, and the nations that were not aligned to the US economic and political aspirations were declared communists.

When the Cold War came to an end in 1989, the US policy toward Africa gained ground since the US became the sole superpower in the international arena. As a nation in Africa, Kenya is no exception in stomaching the articulated aims of US foreign policy toward Africa. Kenya has experienced the interventionist approach of US foreign policy, with its underlying intelligent element of public diplomacy activities meant to ensure unipolar power system remains in favour of the United States. Kenya has also experienced steady relations with the US under the partnership element of foreign policy as the US strives to ensure strong presence in the East African region and Africa at large. Nonetheless, in the international arena, every nation just strives to ensure its interests based on domestic values vis a vis external realities prevail as it relates with other nations.
The interventionist foreign policy to assist Africa, to prevent the spread of HIV and AIDS amongst its populace is popular with the Government of Kenya. There have been several partnership policies between Africa and the US that aim at entrenching peace, development, trade and business. The African Growth and Opportunity Act (AGOA) trade policy is popular with many African nations. Kenya has been involved in AGOA activities and has created an enabling environment suitable for textile manufacturing industries meant for export. These industries in Kenya fall under the category of Export Processing Industries.

The examination of US foreign policy towards Africa is a challenging one. On one hand it is regarded as mere interventionist, and on the other hand partnership. However, true to the spirit of national interest, every nation would always want to achieve what is best for its domestic needs. The US foreign policy towards Africa is therefore questionable whether it is after exploitation of Africa under the aegis of partnerships encompassing trade, business, peace and development or entrenching the US power by intervening in the areas African nations seems to have no absolute control over.

The AGOA trade policy is aimed at encouraging African nations to trade with the US. The African nations involved are exempted from payment of trade tariffs. This preferential trade policy was enacted during President Bill Clinton’s administration. Clinton himself is on record as having stressed the need to educate American workers to compete in a changing international economy dominated by technology. Expanding US commerce played a central role in the Clinton administration’s foreign policy. The Commerce and Treasury departments and US special trade representative worked to open foreign markets to American products and services as well as to
open the US market to overseas enterprises. However, one caveat under this arrangement is that all African nations must eliminate barriers to US trade and investment. Oil trade is part of the AGOA trade arrangement and African nations with such resources are therefore encouraged to export oil to the US. The partnership foreign policy under AGOA arrangement has been explored in detail under the Kenyan chapter. Kenya has a success story of establishing an enabling environment for textile industry for export referred to as Export Processing Zones.

The HIV and AIDS pandemic is one area in which the US has intervened to prevent the spread of the virus. The extent to which Kenya’s health sector has not had control over the spread of the pandemic has been explored. The US Government stepped in to volunteer and assist by providing health aid in order to prevent further loss of lives, and reduce the number of people who cannot work to support economic development of their country. The far reaching aim of interventionist policy, with its underlying intelligent integral element of public diplomacy, has been examined.

1.2 Study Objectives

The core research objectives:

1. To probe and analyze various contexts under which US foreign policy toward Africa is formulated, supported, and approved by Congress.

2. To probe and establish how interventionist policy as well as the element of public diplomacy role has been experienced in Kenya.

3. To analyze the success of partnership notion under the AGOA as US foreign policy in Kenya.
1.3 Significance of Study

The end of the Cold War ushered in a new chapter in world affairs. The United States has since become the sole superpower and has direct engagement with every nation in the world. The international relation between the US and the Africa has been regarded as rather interventionist in kind. However, partnership has also been regarded as basis for US foreign policy toward Africa. This thesis has considered the two notions with Kenya as the case study. The US foreign policy to intervene in the spread of HIV and AIDS pandemic has been probed in the Kenyan case, bearing in mind the far reaching purpose of intervention and interrelated element of public diplomacy activities by a superpower. The AGOA trade policy is an example of a partnership relation between the US and the African continent. The study of the Kenyan chapter of AGOA trade policy unraveled the trading activities to establish the essence of a partnership policy. The Kenyan textile industry has been researched and the essence of AGOA vis a vis Kenya’s economic development has been analyzed.

1.4 Literature Review

Schraeder (1996) notes that US – Africa relation dates back to 1619 when a Dutch ship sold twenty Africans into slavery in the British North American colonies. These colonies later became part of a worldwide slave trade network. However, it was not until in the 1950s that relations between the US and Africa became significant (Schulzinger 2002). Schulzinger further explains that until 1945, the US was just a world power, equal to other major European nations. The foreign policy makers sought to fashion the US into a great power. During the Cold War era, the US surpassed the European nations and competed with the Soviet Union. US mastery of world politics became more advanced.
The African continent experienced colonization by European powers up to 1960s when self-determination and nationalism were experienced by most of the African nations, a movement that eventually culminated in the attainment of independence by the African nations from the colonial masters. The US never participated in the scramble for Africa and therefore the relations between the US and the African nation-states have been deemed to be cordial and without blame game. In addition to colonization, Africa has experienced various crises including slavery, increasing population, terrorism, diseases such as HIV/AIDS, uneven trading partnership with industrialized nations leading to capital flight, trafficking-in of human beings, civil wars, illiteracy, corruption, authoritarian leadership, human rights abuse, challenges in the democratization process, and development.

Schraeder (1996) is emphatic that the US relationship with Africa is interventionist in kind given the situations in which US assistance to Africa has always been sought. However, with the economic interdependence experienced from 1992, a process commonly referred to as globalization, which has promoted partnership in development policy toward Africa with the purpose of increasing trading activities, underscores the equal diplomatic relations between the US and Africa. Schulzinger (2002) explains that the Clinton administration embraced the growing economic interdependence of the world. Clinton stressed the need to educate American workers to compete in a changing international economy dominated by technology. Expanding US commerce played a central role in the Clinton administration’s foreign policy. The Commerce and Treasury departments and US special trade representative worked to open foreign markets to American products and services and the US market to overseas enterprises. The African Growth
and Opportunity Act (2000) signed into law on May 18, 2000, was enacted by the Clinton administration to increase trade between the US and Africa by assisting African entrepreneurs to access the US market-duty free.

Schraeder (1996) defines intervention in a broad sense as a calculated use of political, economic, and military instruments by one country to influence the domestic or foreign policy of another country. The four important aspects of the above definition are: i) Intervention is seen as purposeful, underscoring the intentional nature of the act; ii) Attempts to influence a country’s policies need not be restricted to efforts to change those policies but may also support a given regime in order to insulate it from change; iii) Intervention entails a wide choice of instruments ranging from the extension of economic and military aid to economic sanctions, covert action, paramilitary interference, and direct application of force; iv) Finally, the intervention is not limited to affecting the domestic politics/policies of a given country, but can be undertaken to affect the country’s foreign policies.

This thesis explores circumstances under which US policy towards Africa are regarded as interventionist and/or partnership for development and prosperity. Of importance are the health and trade issues in Africa. The research examines the HIV/AIDS pandemic and AGOA. The two issues have been discussed under Kenya’s perspective, to unravel how US policy on health and trade have been beneficial to Kenya and helped improve bilateral relations between the two countries. This research has explored the interventionist cum public diplomacy and public affairs element of US foreign policy in light of the prevention of the spread of HIV/AIDS. It is important to note that virtually all nations around the world seek to strike bilateral relations with the US,
given its position as the world’s sole superpower. The issues, whether economic, political or social differ from one country to another.

To understand US foreign policy towards Africa, discourses on various world phenomena including the Cold War era, the end of Cold War, intervention and the element of public diplomacy and public affairs, the partnership aimed at economic development programs, the race factor, and global democratization campaign are reviewed and discussed. The US Congress plays a very crucial role in the passage of any US foreign policy towards any nation-state in the world. Hence any policy towards Africa has to be legislated by the Congress. It should be noted that not any proposed policy by the executive branch of the United States government is espoused and passed by the tough debating Congress. This is what necessities the thesis on contextual analysis of partnerships, interventions, and the role of Congress in the passage of foreign policy toward Africa.

Further, the interest in studying US foreign policy has been emphasized by the fact that the United States has dominated world politics beginning in the 20th century and continuing into the 21st. Unlike the hard power of military might, soft power includes the attraction of America’s culture, values, political beliefs, and the ability of the United States to establish rules and institutions it favours. Thus, the United States has continued to set much of the agenda in the international organizations it helped to establish in the 1940s, and democracy and market economies have spread throughout the world. The American culture ranging from hip-hop music, blue jeans, McDonald’s, and Kentucky Fried Chicken (KFC) to Personal Computers, Windows operating systems, and Internet communication are a testimony of universal appeal in a globalizing world.
1.4.1 Sources of US Foreign Policy

The US officials in charge of setting American foreign policy since 1900 consistently sought to engage the United States deeply in political and economic affairs beyond the water’s edge (Schulzinger 2002). At the core of policy making in the United States are the executive branch and members of Congress. However, the press and well-spoken and influential private citizens have all sought to set the direction of the United States in foreign affairs.

At the top of the government is the President but since a president cannot spend all of his time dealing with foreign affairs, he assembles a staff of subordinates to do that. The principal aide entrusted with foreign affairs has been the Secretary of State. Notable however is that all secretaries want to be government’s foremost initiator of foreign policies, but they have always shared their authority with other functionaries. Because no one can draw a clear line separating foreign and domestic policies of the government, other cabinet secretaries reason that they have the right to pursue their goals overseas. Hence the Commerce and Treasury secretaries have handled questions of international economics. The President has therefore on some occasions mediated disputes among his cabinet departments through his personal staff (Schulzinger 2002).

The United States’ objectives in Africa much as they could change with time, have remained the same for the last 65 years. Newsom (1992) notes that although stated in different terms to suit varied political climates, the officially pronounced objectives of US policy in Africa have remained much the same over the last 40 years. The objectives have included countering the Soviet threat, preserving the US military’s access to facilities, promoting democracy, freedom, and self-determination, respecting African nationalism, opposing apartheid in South Africa, and supporting
the security and economic needs of developing nations. The United States has also emphasized the importance of African resources for the US economy and the significance of the large African bloc in the United Nations in the pursuit of US global policies. The Cold War ended in November 1989 and since then the US has continued to partner with the African nations for development goals.

1.4.2 Congress and Foreign Policy Making Process

Most US foreign policies towards Africa are situational. Hence the tendency has been for the president to delegate day-to-day responsibility for overseeing US-Africa relations, in the absence of any crisis, to national security bureaucracies which primarily focus on the politico-military aspect of foreign policy relationship. These include the State Department, the Defense Department, Central Intelligence Agency (CIA), and some agencies devoted specifically to Africa. Hence bureaucratic influence within the policy-making process in view of Africa has a low level of attention paid to Africa. This is attributed to the assumption that Europe should be responsible for Africa, Europe being its former colonizer (Schraeder 1996).

US foreign policies on Africa are dominated by the executive wing as it is the president that directs a bureau to handle African crisis. And thus the longer the crises persist, the likelihood that a faction outside of the executive branch would be involved in the formulation of policy as the debate eventually spills over into the public domain. This is where Congress comes in and where it works independently and can influence the policy-making process. In the policy-making process, it has become clear that there is benign neglect of African issues and subcommittee activity. The re-election pressures and time constraints imposed by elected terms of office of two years for
representatives and six years for senators do force members of the Congress to give priority to those domestic and international issues which will receive attention within the corridors of power in the US. Because the primary objective is to be re-elected, and because most voters know or care very little about the African continent, conventional wisdom suggests that it is politically smart to avoid unpopular issues.

The rationale for such perspective is presented in its most cynical form: If my constituents do not care, why should I? (Schraeder 1996). The Senate Subcommittee on Africa was established in 1959 by the Foreign Relations Committee. However, it has not been an active committee given that most members found African issues unpopular with domestic politics hence in most cases the chairmanship of this committee has been used as a launching pad for self-advancement within Congress.

Congress has historically played a limited role in the realm of foreign policy, particularly with respect to Africa. However, Schraeder (1996) explores the powers of Congress relative to the executive which include confirmation of presidential appointees by the Senate, convening hearings, authorization and appropriation of aid, and legislation. Confirmation of presidential appointees by the Senate is one of the most basic but vital roles of Congress. Congress (Senate) confirms numerous presidential appointees who carry out executive branch policies in Africa. The senior most appointee is the Assistant Secretary of State for African Affairs and other designated ambassadors. Occasionally the Senate Foreign Relations Committee tends to frustrate the confirmation of appointees. Nonetheless, congressional approval for Africa-related appointments has rarely been denied.
The convening of hearings include the congressional oversight responsibility of sponsoring fact-finding missions to Africa, meetings with heads of states and other dignitaries, and conducting hearings on African issues. Congress is able to request testimony from knowledgeable persons, including those responsible for any decisions being taken or planned in the African continent. These hearings serve to broaden congressional awareness of the administration’s policies, as well as provide the basis for informed debate on African affairs.

The authorization and appropriation of aid forms a significant role of Congress as it has the power to authorize and appropriate all military and economic aid requested by the executive branch. Given the less important position of Africa as compare to Europe and Asia, Congress and the executive branch traditionally have been less willing to do battle with each other over aid priorities in Africa as opposed to other regions of greater concern. Further, the combination of executive branch priorities and the traditional congressional reflex to cut levels of foreign assistance has led to Africa finding itself placed last in the hierarchy of foreign aid. In the 1992 foreign aid allocation, Africa received roughly 7.6 percent of all US economic and military foreign assistance. The move by Congress to limit aid levels in general particularly to Africa is based on simple reality that foreign aid is simply not a popular issue with the domestic voting public of the United States.

Congress has the mandate to pass legislation of the US federal level only which means some legislation is left to the states. In this capacity, Congress can affect US-Africa policies by passing bills on issues of particular importance. Most noticeable always is the assertion of influence between the House of Representatives and the Senate in the process of policy-making. The
differences that usually arise between the two Houses have always tended to limit the ability of Congress during non-crisis periods to pass legislation either independent of or counter to the established African policies of the executive branch.

Alongside the executive branch and Congress in the policy-making process are other interest groups and the role of African Americans. Schraeder (1996) defines interest groups as individuals who share some common attitudes and orientation toward the political process. These groups have traditionally attempted to influence both the Senate and the House of Representatives. The reasons for articulating their ideas via Congress are especially great in that the majority of members do not exhibit much knowledge and/or concern about Africa. The Congress men and women therefore do espouse insights from organized lobby groups in foreign policy field. These ideas contribute to the formulation of foreign policies.

Congress’ involvement in the matters of foreign policy increased from the mid-1970s onwards. Among the groups that have sought to influence the substance of US-Africa policies are academic organizations such as the African Studies Association (ASA); non-profit organizations such as the New York based Rainbow lobby which is a citizen’s group dedicated to civil and human rights; relief organizations that include Mennonite Central Committee; foreign lobbyists, such as Fenton Communications which is a Washington, D.C. based company that served as an agent of the Angolan regime when Angola underwent serious internal turmoil.

The interest groups also include private institutions such as the Carnegie, Rockefeller, and Ford Foundations. All these organizations in one way or another have funded a variety of Africa related
programs. Private corporations such as the Foote Minerals actively lobbied in pursuit of the repeal of sanctions against the then Southern Rhodesia (current Zimbabwe) in 1972. The human rights organizations, including Amnesty International and the Lawyers Committee, all form pressure groups that influence the foreign policy making by Congress.

As noted already, the studies of US government relations with Africa have generally focused on the role of executive branch, specifically by examining and analyzing the views and activities of administration officials and the members of executive branch bureaucracies. Volman (1998) notes that this situation has been only natural given the predominant role the executive branch has historically played in the development and implementation of US policy toward Africa. However, the US Congress has always played an important role in determining US policy toward Africa due to its constitutional authority over the appropriation and authorization of funding for all foreign operations conducted by the executive branch. Furthermore, Congress enacted legislation on several occasions during the Cold War period that directly affected US policy. For example, Congress approved the Clark Amendment prohibiting US intervention in Angola (although it later voted to repeal the amendment).

Daniel P. Volman goes further to explain that since the collapse of the Soviet Union and the end of the Cold War, congressional involvement in the shaping of all aspects of the US policy has grown. In part, this is the result of the fact that the broad consensus about the primacy of the global struggle with the Soviet Union that governed foreign policy during the Cold War period has given way to growing contention and confusion, both within the government and among the US public about the definition of US interests abroad and foreign policy objectives that Washington should
be pursuing in the new era. The lack of a clear focus in foreign policy and the divisions with executive have provided Congress with more opportunities to intervene in policy disputes and, thus to influence policy making.

The roles of the African subcommittees in the House and Senate have traditionally been strongholds of liberal Democrats, particularly of the Congressional Black Caucus (CBC), with a strong personal interest in the US relations with Africa. However, the elections of November 1994 produced Republican majorities in both houses of Congress. Initially, there was serious prospect that the new Republican majority would abolish the House’s Africa subcommittee by merging it with the Latin America subcommittee. Lobbying by the CBC and other groups resulted in the survival of the House’s Africa subcommittee, but both Africa subcommittees experienced dramatic changes in their membership and came under the control of chairs selected by the Republican leadership. The two subcommittees and the full House and Senate committees have however held at least as many hearings on Africa each year since 1994 as they did when they were under Democratic control (Volman 1998).

1.4.3 Congressional Black Caucus – CBC

Being an open society, the United States allows freedom of expression and speech to all individuals and sectors. Ethnic groups have been free to fight for political causes of their nations of origin or homelands. Marguerite Ross Barnett details the origins and functions of CBC. Barnett noted that since 1971, when the Congressional Black Caucus formally emerged, numerous other legislative causes of black elected officials developed. The existence of CBC and the proliferation of racially based caucuses raise issues seldom examined in literature on the legislative process. CBC origins
can be traced to the late 1960s when Congressman Charles Diggs (Michigan) formed the Democratic Select Committee.

Although called the front runner of the CBC, the Select Committee only met sporadically. Diggs conceived it as a way of bringing black Representatives William Dawson (Illinois) and Adam Clayton Powell (New York). In 1969, black members of Congress began coordinating their efforts. One of their first actions was the public opposition to the nomination of Clement Haynsworth of South Carolina to be associate justice of the Supreme Court. Also in 1969 they conducted an unofficial public hearing in Chicago on the killing of members of the Chicago Black Panther party. Marguerite Burnett points out two factors leading to formalization of the caucus namely, the emphasis of many key black political elites on electoral politics following the passage of the 1965 Voting Rights Act, and the political climate of the Nixon presidency which experienced a protracted confrontation between the black members of Congress and the President that contributed to their sense of common purpose and identity.

Marguerite Burnett highlights two major stages in the formation of CBC and the political struggle to ensure equality amongst all the Americans. The stages include the collective and ethnic. In the collective stage, Marguerite explains that in February 1970, the black representatives in Congress sent a letter to President Nixon requesting a conference on a wide range of issues concerning black and poor people in the United States. After an initial refusal, Nixon met fourteen months later with the thirteen-member caucus, a number that gradually increased to seventeen in the Ninety-Fourth Congress (1975).
Events before the meeting included a boycott of the president’s State of the Union message in protest over his high-handed treatment. When the caucus met with the President, sixty-one recommendations for governmental action on domestic and foreign issues were presented. The caucus asserted itself as the representative of the nationwide black community: “Our concerns and obligations as members of Congress do not stop at the boundaries of our districts, our concerns are national and international in scope. We are petitioned daily by citizens living hundreds of miles from our districts who look on us as Congressmen-at-large for black and poor people in the United States.” Substantively, the caucus statement went on to call for “equality of results” in the following areas:

- Eradication of racism within the United States and in its dealings with other nations.
- Earning of a decent living or the means to survive in dignity when work is not available.
- Decent housing for black families and equal access to the total housing market.
- Fair and impartial justice and adequate protection against drug abuse and crime.
- Enforcement of civil rights and other constitutional guarantees through vigorous affirmative action by the government.
- A fair share of the public funds used to support business and community development and full participation in determining how tax dollars are spent in black communities.
- The federal government’s guarantee of ample health care for all citizens.
- Protection of federal standards and guarantees in programs financed by federal funds.
- Full participation by members of black communities in the executive, judicial, and legislative branches of the government at every level.
The meeting with President Nixon marked a turning point for the caucus. In a short time its members were caught in a transformation from a small, relatively powerless, and ignored group of junior representatives to a national cynosure. The caucus’s emergence as a nationally known organization occurred at a time when the Civil Rights Movement was in decline. Leaders like Malcolm X and Martin Luther King were dead, leaving a perceived leadership vacuum. Furthermore, the new emphasis was on electoral politics, and the caucus was seen as the epitome of black political accomplishment. These factors set the context for the caucus’s transition from an episodic, informal protest group within Congress to a highly visible and durably organized group of spokesmen for the black community inside and outside of Congress.

CBC has played important role in enacting policies towards Africa. CBC chairman, Rep. G.K. Butterfield together with his colleagues Rep. Karen Bass, a Foreign Affairs subcommittee ranking member and the lead Democratic author of the AGOA reauthorization; Rep. Keith Ellison, co-chairman of the Congressional Progressive Caucus; and Rep. Barbara Lee, a co-chairwoman of a CBC working group on poverty and the economy strongly supported the extension of AGOA from 2015 to 2025, a period of 10 years. President Barack Obama signed AGOA Trade Preferences Extension Act of 2015 into law (AGOA.Info, 2015). Zeleza (2014) also underscores the effectiveness of CBC movement that led to the imposition of sanctions against apartheid South Africa, a step towards the political emancipation of South Africa.

1.4.4 African Americans and US policy toward Africa

Contrary to the notion that African Americans have not influenced American policy to help their embattled homelands, that African Americans have done little or nothing to aid the African
continent of their ancestors; African Americans have contributed immensely in the process of policy-making toward Africa. Skinner (1992) clarifies that until recently, any interest that African Americans showed in the conduct of United States foreign policy was viewed as quixotic by most white Americans. This, of course, was due to the historic difficulty of whites in accepting people of African descent as organic members of society created by both. True, there is now a grudging acceptance that African Americans are interested in United States policy toward Africa and possibly toward the Caribbean, but this admission is still accompanied by a concern that such interest might not be in the national interest. That African Americans might desire a voice in America’s global policy is only acknowledged by the most enlightened white Americans. The reluctance to accept the participation of African Americans in the conduct of United States foreign policy is rooted, of course, in the nature of foreign policy-making process as well as in the position of African Americans in American society.

The fact that Negroes arrived in English America as the cargo of international slave trade unquestionably fostered a sense of superiority among Englishmen. If the noble and commanding Othello could be stigmatized as a ‘thing’, how much more likely it was that degrading terms be applied to those who wretches newly spilled out slave ships! It was to be anticipated that from the beginning a special inferior position would be assigned black men (Skinner 1992, p.21).

The belief of most American whites that African Americans were so biologically inferior to them that they could not and should not be permitted to form an integral part of the emerging United States of America led many African American leaders to take a more active part in defending their race and the continent from which it sprang.
Nevertheless, African Americans have almost known that in order to gain equal status in America, they must have a say in how their country relates to the rest of the world. In order to accomplish this, African Americans have used both formal and symbolic means to deal with America’s foreign policy. It is almost axiomatic that the foreign policy of any society, be it a village community, a small city-state, a feudal kingdom, a large imperial system, or modern nation-state, is designed to protect that entity from all outsiders, whether friends or enemies, actual or potential. In their efforts to do so, societies have normally assigned their foreign policy-making and executing processes to an elite, persons endowed with either achieved or ascribed superior status and judged to embody their particularly society’s salient values.

Skinner (1992) notes that Africa always loomed large in the consciousness of early African Americans because it was that continent’s economic, political, and military weaknesses that made the slave trade possible and consequently made its inhabitants the object of prejudice and discrimination. Africa’s legacy remained on the skin of African Americans in the United States and long influenced their lives. The outbreak of the Civil War significantly changed the relations of the United States with Africa and laid the basis of African American participation in policy formulations toward that continent.

The essence of race factor in the formulation of the US foreign policy toward Africa currently is epitomized in the CBC and its role in the foreign policy-making process. Zeleza (2014) has broadened the race factor in the formulation of US foreign policy toward Africa to include role of African Diaspora. Zeleza differentiates that there are two diasporas, the first being the historic one that advocated for and mooted engagement centered on decolonization while the new diaspora is
preoccupied with development and democracy. During the two moments and for both diaspora communities, their capacities to influence US-Africa policy have been conditioned by the changing contexts of US domestic politics and geopolitical interests, shifts in global system, as well as the policies and conditions of African states, as well as the internal composition, organizational strength, electoral power, influence on public opinion, alignment with US policies, access to different branches of government, and ability to cultivate mutually supportive relationships and alliances with other groups.

Zeleza observes that the major role of diaspora is to influence policies over the same region or country. And this is dependent on the relative openness of the political system to diaspora influences, the institutional touch points of diaspora activism within the system, the alignment of diaspora agendas to public opinion and government attitudes and policies, and the changing dynamics of inter-diaspora and intra-diaspora politics. Diaspora influence is likely to be greatest where the political system, public opinion, and policymakers are receptive to and see diaspora interests, goals, and tactics as legitimate. However, on the other hand, diaspora leaders and communities advocating for their homeland risked being suspected of dual loyalties.

In relation to the race factor and more importantly, Zeleza (2013) emphasizes the significance of national interest in the foreign policymaking. He observes that the election of Barack Obama as the first African-descended president of the United States in 2008 did not change the substance of the US-Africa relations. And thus symbolic politics of race and presidential personalities in the face of the structural imperatives of the US power and foreign policy in which African interests
remain marginal and subordinate to US interests has been reaffirmed. No favours were extended to African nations despite the fact that the president was of African descent.

Nyang (2005) affirms the importance of race factor in the US-Africa relations. The relationship has been defined primarily by the slave trade and the Cold War. The fact is that in the minds of most people around the world, Africa and US are only associated in terms of the black populations and their political and military connections during the Cold War. The presence of millions of people of African descent, and their growing power and self-assertiveness in the American political process, have combined to make US-Africa relations an issue of greater scholarly interest. Thus the policy-making toward Africa faces support and/or opposition even if directly or indirectly from the black population.

However, national interest in foreign policy making remains the core basis on which any bona fide citizen must adhere to. Nyang credits the efforts of Marcus Garvey, the Jamaican-born leader on his mass movement activities in the United States, in the early part of the twentieth century who was regarded as “Black Moses”. Gervey, it should be noted that was fervent advocate of Pan-Africanism. He was committed to the liberation of his people and determined to see it through by all means available to him then; he did everything within his power to ferry them back to their homeland.

Nyang (2005) further probes into the kind of education European colonizers introduced to Africans. It was meant to shape and condition African perceptions. Jealous about their “possessions” and determined to fence off real or potential rivals, the Europeans powers in Africa
made sure that whatever information their subjects knew about the outside world was filtered through the colonial lenses. Evidence of this is amply provided in the curriculum of the schools created to induct young Africans into the colonial world. Much has been written about this phenomenon, and the works of Fanon, Memmi, Cabral, Kwame Nkurumah, Jomo Kenyatta, Achebe, Ngugi wa Thiongo and countless others have shed considerable light on the colonization education system.

In looking for a key understanding how and why the Africans reacted to the United States in a certain way during the colonial period, one must look at the writings of African and diaspora blacks living on the continent. Foremost among these writers and thinkers was Edward Wilmot Blyden. A black returnee who chose to settle in what was recently named Liberia; Blyden tells great deal about his opinions on the attitudes toward America and the black situation in his book, *Christianity, Islam and the Negro Race*. Through his writings and lectures in West Africa, this black intellectual influenced African opinions about the United States. Because of his unfavourable personal experiences in America, he wrote negatively about the country and the future of blacks. Unlike Frederick Douglass, who saw light at the end of the American tunnel, Blyden saw darkness and hopelessness. And he strongly urged African Americans to immigrate to Africa and not waste their time and energies nurturing hopes and dreams.

1.4.5 US-Africa Relations from 1945 to 1989: The Cold War period

Michael G. Roskin and Nicholas O. Berry (2010) explain that the period of military and political tension between the United States and the Soviet Union after World War II was called the Cold War because there was no direct fighting between the two powers. Its dates are rather arbitrary,
given as 1947-1989. The tension started due to Stalin’s Soviet Union intent on turning East Europe into a belt of Communist-rulled satellites. The Soviet Union proved its unfitness as a partner for Roosevelt’s grand design for postwar cooperation. Many feared that Stalin was also getting ready to move beyond East Europe. And probably by the spring of 1947, the Cold War was on, for that is when the United States openly stated its opposition to Soviet expansion and took steps to counter it. Truman told a joint session of Congress on March 12, 1947 that the United States must not only aid Greece and Turkey, but more generally block Communist expansion. “It must be the policy of the United States to support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures”, said Truman.

The Cold War began when the Soviets quickly began breaking the agreements made at the 1945 Yalta Conference. They did not hold free, democratic elections in East Europe but installed communist regimes subservient to Moscow, and they kept many troops in East Europe. The United States had quickly demobilized after the end of World War II and left few troops in West Europe. As Churchill put it in 1946, the Soviets rang down an “Iron Curtain” to cut off East Europe. Local Communist parties plotted subversion in France and Italy, and communist guerrillas almost won in Greece. President Truman and his secretaries of state, George Marshall and Dean Acheson, soon grew alarmed that Moscow was closing off East Europe into brutal Soviet satellites and partitioning the peaceful, open world the US had envisioned. Stalin started looking like Hitler, a dictator who had to be stopped.

After the end of World War II in 1945, the United States emerged as the most dominant power in the world. The US then started to maintain some contacts with the African nation-states, largely
due to the rise of African nationalism in response to the world-wide anti-colonial movement between 1945 and 1958. During the Cold War period, the US had either interventionist or equal footing diplomacy with the African nation-states that had attained independence. The relations continued long after the end of the Cold War. Every country in Africa has had its own international relations experience with the United States during the Cold War period. The Civil Rights Movements added much impetus to the decolonization process in Africa as the essence to fight for civil rights, political and economic emancipation spread from the US to other parts of the world.

It was during the Cold War period that most African nations decolonized and became independent. Munene (2006) observes that the sticking issue in post–colonial period was promotion of democracy in Africa. The US however continued to identify itself with racist colonies in Southern Africa. The racist colonies understood US weakness and played up their claims to bastions of Western civilization against communist inspired hordes who happened to be blacks. President Ronald Reagan claimed that South Africa’s apartheid system was similar to racism in the United States and more over South Africa had been on the same side with the United States in the World Wars. In 1981, President Reagan said that the US could not abandon a country that was strategically essential to the free world in its production of minerals. Despite how African nations wished that South Africa could be desegregated, superpower nation was supporting the status quo. In the same vein, Nyong’o (2006) observes that the so-called policy of “Positive Engagement” that President Nixon crafted to rationalize US dealing with apartheid South Africa never really gained support in Sub-Saharan Africa rather it was seen as a skeptical way of appearing to make legitimate US imperialist interests in alliance with the apartheid regime.
It should be noted that any African nations that holistically preached non-alignment foreign relation policy slogan while at the same time did not espouse the ideology of capitalism was automatically declared communist. Being a communist did not mean that African country had the capacity and ability to establish a scientific centralized economic system, but rather being regarded as enemy combatant, unpatriotic, and uncivilized, not ready to accept the capitalist ideology. The aim of the US was to ensure that every African nation adopted the ideology of democracy with its associated element of liberalized economic system that would allow the US interests of expanding their capitalist ideals of free trade. Kenya however maintained their cordial relationship with the US which was long established by the colonizer, Britain. Kenya for a long time has preached non-aligned foreign policy campaign but in actual sense practices western ideology of liberalized market economy and thus a close ally of the United States.

Nzongola-Ntalaja (2003) gives a detailed discourse on the Congo crisis of 1960-65 which led to the death of the first Prime Minister, Patrice Lumumba and the ascendency to power through military coup d’état of Joseph Mobutu SeseSeko in 1965. As part of the Cold War period, decolonization was a costly phenomenon to many African States. According to Nzongola-Ntalaja, the radicals who could have taken the leadership of Congo and steered the development in the right direction were overturned and moderates that espoused the colonizer’s ideology were elevated.

Nzongola-Ntalaja states that Congo attained its independence on 30 June 1960. Due to Congo’s strategic location in the middle of Africa and its fabulous natural resources, this position has made Congo since 1884 a central theatre that has witnessed the playing out of the economic and strategic interests of outsiders including the colonial powers during the scramble for Africa; the
superpowers during the Cold War; and neighbouring African states in the post-Cold War era. And to prevent a direct confrontation between the United States and the Soviet Union, the Security Council deployed from 1960 to 1964 what was then the largest and most ambitious operation ever undertaken by the UN, with nearly 20,000 troops at its peak strength plus a large contingent of civilian personnel for nation-building tasks.

Prime Minister Lumumba was faced with a nationwide mutiny within two weeks of proclamation of independence by the army and a secessionist movement in the province of Katanga, a movement bankrolled by Western mining interests. Both revolts were instigated by the Belgians. Lumumba made an attempt to have Belgian troops and white mercenaries evacuated in order to end the Katanga secession crisis. He made a successful appeal to the UN Security Council to send UN peacekeeping force to the Congo. However, the UN secretary-general, Dag Hammarskjold, interpreted the UN mandate in accordance with Western neocolonist interests and the US Cold War imperative of preventing Soviet expansion in the Third World. This led to a bitter dispute between Lumumba and Hammarskjold, which resulted in the US and Belgian-led initiative to assassinate the first and democratically elected prime minister of Congo.

1.5 Hypotheses

1) It is a contention that US foreign policy towards Africa is driven by crisis that calls for intervention by the United States Government.

2) That in every partnership policy agreed on between African nations and the US, there is always underlying caveat meant to enable the US gain more than what African nations intend to receive in return.
1.6 Methodology for Research

The research entirely depended on secondary data that required the use of both qualitative and quantitative document based methods. The research employed a qualitative content analysis method to digest scholarly journal articles, academic books, newspapers, magazines, and internet digital literature. Note that qualitative analysis refers to examination of non-measurable data. In a business context, it would entail examining such issues as firm’s reputation, a brand image or a customer’s feelings about a product. In the context of this research, it relates to exploring feelings expressed about subject matter of the research by authors and contributors in these scholarly journals, academic books, newspapers, magazines, and internet digital literature that have been reviewed. A quantitative method has also been used to provide statistical details on the scope and scale of international trade under AGOA and health services provided under PEPFAR to support and provide evidence for the research findings. These included the analysis of primary sources such as statues, statistics, regional and international meetings/workshops minutes, financial aid details, and progress reports.

1.7 Theoretical Framework

Theory explains how something works. IR theories thus give explanations or views on how things work in the international system. This thesis majorly interrogates realism and liberalism theories as they guide the formulation of the US foreign policy towards Africa and particularly how the interventionist and partnership approach of the US foreign policies are experienced in Kenya. Other theories to be considered along the first two major ones include Marxism, world system theory, democratic peace and dependency.
Realism

This is a theory that emerged after the end of World War II. Realism (political realism) is a school of thought that explains international relations in terms of power. International system of states relate by exercising power toward each other. This exercise of power is referred to as realpolitik or power politics. Power is the ability to get another actor to do what it would not otherwise have done. Realism underscores key point that in anarchical world lacking central legitimate governance, principal or important actors are states that at the same time represent the key unit of analysis. This is a state centric theory (Vioti & Kauppi 2010).

At the centre of this theory is a scholar Hans J. Morgenthau who argued that the international politics is governed by objective, universal laws based on national interest defined in terms of power. He reasoned that that no nation had “God on its side” which is a universal morality and that all nations had to base the reactions on prudence and practicality (Goldstein & Pavehouse 2010). Robert Jackson and Georg Sorensen (2003) further affirm that Hans J. Morgenthau who fled to the US in 1930s brought realism to the US with great success. His book on Politics Among Nations: The Struggle for power and Peace has been influential. Morgenthau asserts that human nature is at the base of international relations and that human beings are self-interested and power-seek that could easily be in aggression.

In the same vein, Kenneth Waltz reaffirms in his book, Man, State and War the intricate nature of man who manages the state activities; hence the need to view global affairs in a realistic viewpoint (Waltz 1983). However, in the face of growing criticism of classical realism, Kenneth N. Waltz in his book, Theory of international politics (1979) made the first attempt to modify realism to
neorealism. His assumptions explained the existence of anarchy in the international arena, and that while states are paramount actors in the international system, non-state actors such as corporations and multinational organizations equally play important role. Robert Keohane contributing on realism theory explains that 'states are rational actors as they have consistent, ordered preferences, and that they calculate the costs and benefits of all alternative policies in order to maximize their utility in light of both of those preferences and of their perceptions of the nature of reality’ (Davetak, Burke, & George., (eds), 2007). Joseph S. Nye Jr. (2004) modified neoralism a notch higher to explain the importance of soft power vis a vis hard power. He observes the importance of soft power as states battle to pursue self-interests in the international arena; he notes that soft power could avoid conflicts amongst nations.

This theory gives guidance on the approach of the US policy towards Africa in general and particularly to Kenya in the anarchical international system. And that at the centre of foreign policy formulation are power and self interest. The far reaching aim of foreign policy towards Kenya, be it interventionist or partnership, is to ensure that the US national self-interests are advanced. Kenya’s national interests must also be observed in the course of international relations. The notion of soft power, interventionist political move, and public diplomacy forms the intelligent way of handling nations without going to war. Key areas to intervene on are not limited to civil strife as nations experience turmoil or anarchy, but also to health and education sectors. The HIV/AIDS is a good example of the US intervention with the underlying element of public diplomacy purposely to prevent the spread of the pandemic disease.

Liberalism
Liberalism is theory that advocates for both state and non-state actors in the policy decision process of a state. It holds a tradition of political thought composed of a set of practical goals and ideals. This theory maintains that individual is the most important unit of analysis and claimant of rights. The state is to play minimal role in a liberal society. At the centre of this theory is Immanuel Kant (1724-1804) whose assumptions included universalism, concept of world citizenship and advocacy of a federation amongst states as means to peace. Richard Cobden (1804-1865) contributed to this theory as he stressed the importance of economics and welfare of human beings in liberalized society. He is the foremost exponent of what could be called commercial liberalism. Joseph Schumpeter (1883-1950) notably emphasized the importance of democratic capitalism that could lead to peace.

Robert Keohane modified classical liberalism to neoliberalism. He developed broader concept of institutions that had set of rules on which international system would depend on to settle international relations confrontations. The international institutions could take the form of: formal inter-governmental or cross-national, non-governmental organizations; international regimes and conventions. Keohane finally observes that global governance is an integration of networks among agents and norms, standard of expected behavior, that are widely accepted among agents (Viotti & Kauppi 2010).

This theory gives a clear view of how world activities are somehow handled to avoid antagonism amongst state actors. In formulating foreign policy towards African nations, the US must be cautious to observe high level of decorum in order to create peaceful environment of trading activities. Thus despite the fact of AGOA’s major goal, to enable export of goods to the US duty-
free, Kenya’s internal interests must also be observed and reckoned with by the US Government. Liberals hold a view that war can be evaded by expansion of free trade.

**Democratic Peace**

With the end of the Cold War in 1989, democracy became the main US foreign policy not only towards Africa but even to other nation-states worldwide. This theory holds the view that democracies are more peaceful in their international foreign relations. Based on Immanuel Kant’s view on essence of universalism and world citizenry, scholars Michael Doyle, Rudolph Rummel, and Bruce Russet underscored the need for liberal democracies as they are able to establish peaceful relations amongst themselves.

In the quest to formulate foreign policy policies to advance national interest, democracy is essentially important element to be integrated in any nation-state. By US formulating the AGOA trade policy, one of the conditions for any country to be admitted into the agreement was that a country had to be democratic. Kenya is a democratic country that holds periodical elections and observes the rule of law in its general governance.

**Marxism**

Karl Marx (1818-1883) advanced this theory based on economic structuralism. And all economic structuralists have been influenced by the works of Karl Marx. However not all economic structuralists are Marxists. Marx’s concern was the growth process of humankind in a society referred to as communist. Marx views include exploitation of many by the few who own means of production (bourgeoisie) and the workers or exploited (proletariats whether lumpen or
desperado). Though this was a raging ideological view of the competitive former Soviet Union, it never died with the collapse of Soviet Union. All economic ideas opposing the capitalist entrenchment continue to argue in favour of Karl Marx views either unconsciously or knowingly. AGOA trade policy can be viewed by other people negatively as a way of exploiting African nations. Kenya though espoused the policy and is on record of performing well in the area of textile industry, proponents of Marxism would not hesitate to claim that US is exploiting Kenya. And therefore the US has to continue to fight for excellence in its relations with the African nations in order to expand its ideology of liberal political system which is democratic and upholds free market economy system.

**Dependency Theory**

This was a theory championed by Latin American scholars in the 1960s and 1970s. This group of scholars was referred to as dependency theorists associated with Economic Commission on Latin America (ECLA) and the United Nations Conference on Trade Development (UNCTAD). Their concern was continued underdevelopment of Latin America and other Third World regions.

Raul Presbisch (1901-1986) explains that the economic exploitations of Least Developed Countries (LDCs) by industrialized state is not an accident or simply an additional means by which these states enrich themselves. Rather, economic exploitation is an integral part of capitalist system and is required to keep it functioning. The result is a condition of dependency, succinctly defined as a situation in which a certain number of countries have their economy conditioned by the development and expansion of another, placing the dependent countries in a backward position exploited by the dominant countries. The modernization experience of a particular society should
not be seen in isolation, but as part of the development of an internationalist capitalist system, whose dynamic has a determining influence on the local processes. As a result underdevelopment is not a moment in the evolution of a society which has been economically, politically and culturally autonomous and isolated.

Dependency theory thus provides good guidance on how the US should maintain lead in the international system. The sure way to entrench leadership is to formulate policies that give the freedom of free market economy which allows US Multinational Corporation business entities to establish branches all over the world. Also the US would ensure establishment of trading agreements that provide freedom in conducting trade between the US and Africa, but in which the US states gains tremendously. AGOA trade policy allows African nations to export goods to the US without payment of tariffs. However, the underlying caveat to be part of that agreement is to allow the US to conduct any business with exporting country not limited to textile products only.

World System Theory
At the centre of this theory is Immanuel Wallerstein. The theory expresses concern for lack of Third World development at the same time wish to understand the economic, political, and social development of regions worldwide. The second concern is the development of world political economy by learning and understanding the fate of various parts of the world at various times in history. Wallerstein traces the origin of capitalism to Europe that promotes development based capitalist-system that contains a core, a periphery and semi-periphery.
The core areas historically are advanced in economic activities including manufacturing, banking, technologically advanced agriculture and even ship building. The periphery provides raw materials including minerals, timber and others that fuel the core’s economic expansion. In this system, peripheral countries are denied advanced technologies in those areas that might make them competitive with core states. Semi-peripheral are always involved in a mix of production activities with some being associated with core areas while others with peripheral areas. Thus the development of the globe economic, political and social processes depends heavily on capitalism.

This theory thus guides the US on how to sustain its core status by ensuring peripheral states maintains their status quo. No matter how much sustainable development campaigns are conducted, developing countries have continued to experience their crises including poverty, living below one US dollar. The enactment of AGOA trade policy has hardly contributed any participating African nation to level of second or first world.

It should be noted thus that the multinational corporation (MNC) and international banks, therefore, are viewed from a much different perspective than that of the realist or liberalist. To the liberal or English School Scholar, MNCs and international banks appear merely as other, potentially benign, actors in world politics or global society. To the realist, they tend to be of secondary importance because of the emphasis is on the state-as-actor. To the economic structuralist, however, they are central players in establishing and maintaining dependency relations. To economic structuralists of Marxist persuasion, MNCs and banks are agents par excellence of the international burgeoise. They represent two of the critical means by which Third World states are maintained in the subordinate position within the world-capitalist economy.
Chapter Two

US and Post-Cold War Africa, 1989 to 2015

The ideological confrontation between the East and West directly influenced the African relations with the US/West. The fight against Soviet communism collapsed between 1989 and 1991. On November 9, 1989, the Berlin Wall tumbled. Less than a year later, Germany was reunited as a capitalist, democratic country. Revolutions swept Communist governments across Eastern Europe. Most spectacularly of all, the Soviet Union ceased to exist on December 31, 1991 (Schulzinger 2002). The end of Soviet system was characterized by President George H. W. Bush as one of the most important developments of the 20th century, being the revolutionary transformation of totalitarian dictatorship and liberation of people from smothering embrace. From 1989 to 1991 President Bush and principal policy advisers spoke optimistically about the creation of a new world order (Schulzinger 2002).

The three immediate post-Cold War US presidents that presided over the making and implementation of US foreign policy towards the entire world include Presidents George Herbert Walker Bush (1988 – 1992); William Jefferson Clinton (1992 – 2000) and George Walker Bush (2000 – 2008). Most of their foreign policies toward Africa were based on the reality of international politics. The immediate outcome of the Cold War formed the basis of US-Africa foreign relations; though policies have changed with time depending on the reality of politics in the international system.
Schraeder (1996) notes at least 5 foreign policies: The first policy concern for Africa was the reinforcement of the historical tendency to treat Africa as a “back burner” issue. The confrontation between the East and West brought Africa into global affairs not as contributor of ideas, but as theatre of competition where superpowers compete to implement their economic and political ideologies; and principally to block Soviet influence into Africa. Otherwise African continent was not important to the US as compared to other continents. Therefore with the end of the Cold War, Africa’s position as a neglected region was reinforced. Michael Clough, Senior Fellow for Africa at the Council on Foreign Relations explained that policymakers were guided by three principles that: - a) Do not spend much money unless Congress makes you; b) Do not let African issues complicate policy towards other more important parts of the world; and c) Do not take stands that might create political controversies in the United States.

Indeed, Africa was in sense becoming the dark continent once again. In the absence of the rallying points of Soviet expansionism and anti-communism, Africa’s internal crises were no reason enough to draw attention of US policymakers urgently. The second policy approach toward Africa was the pressure to trim already reduced levels of economic and military aid in that with the domestic pressures to trim the budget deficit and enhance spending for domestic social programs led to the budgetary cutbacks in some program offices related to Africa. US policymakers viewed Africa as less important relative to other regions of the world in the post-Cold War era. For example when the situation presented itself to staff the growing numbers of consulates and embassies in Eastern Europe and the newly independent republics of the former Soviet Union, the State Department trimmed approximately seventy positions from its Bureau of African Affairs and closed consulates and embassies in Cameroon, the Comoro Islands, Kenya and Nigeria. In the
same vein, the US agency for International Development (USAID) cut a variety of programs and staff positions related to Africa. And it was just the “11th hour intervention” of the Congressional Black Caucus that prevented the Foreign Affairs Committee of the House of Representatives from merging its subcommittees on Africa and Latin American affairs.

During the final two years of the Bush administration, Washington’s preoccupation with the end of the Cold War reinforced African’s traditional low standing with the aid hierarchy. In addition to responding to a growing sense among the US public that foreign assistance should be invested in a lackluster US economy, the Bush administration trimmed US foreign assistance to the African continent in order to free up funds to reward the transition to democracy in other regions of the world, as well as to pay for the enormous costs associated with US military operation against Iraq in 1991, known as Operation Desert Storm. In a January 1990 budget address, Bush informed Congress of the administration’s intention to reduce aid to Africa specifically in order to free up larger amounts of aid for Poland. The African affairs constituency in Congress somewhat managed to reverse Africa’s share to 7.6 percent that is $1.2 billion of the $15.8 billion foreign assistance budget for the year 1992.

Chester Crocker, former Assistant Secretary of State for African Affairs succinctly noted that Africa in view of worldwide demand for foreign assistance, could end up paying for the expanding frontiers of freedom everywhere else; typically an obscene response to the African crisis. The third policy concern was the rising perceptions of the threat posed by the spread of Islamic fundamentalism that apparently made US policymakers to declare that with the decline of the Soviet Union and communism, power vacuum was created in the African continent that could
easily be filled by radical forms of Islamic fundamentalism, and that these would be a threat to US interests on the African continent. This scare called for different crusade logic of anti-Islamic variant focused specifically on the variety of fundamentalist regimes in the Middle East and North Africa not like the anti-communist logic of containment of the Soviet Union during the Cold War era (Schraeder 1996).

Initially it was the Shia group in Iran that was a threat but later on other potential groups emerged such as Taliban of Afghanistan in the early 1990s, Al Qaeda of Iraq – 1990s, Al Shabaab of Somalia -2000s, and ISIS of Syria - 2010s. Sudan was the first suspected African nation of harboring terrorists. Schraeder (1996) explains that the growing concern with Islamic fundamentalism was clearly demonstrated by US foreign policy toward Sudan at the beginning of 1992. That President Ja’faar al-Nimeiri who was overthrown in a 1986 military coup d’état was a close ally of the United States in the 1980s. This phenomenon led to intensification of a guerrilla war led by the Sudan People’s Liberation Army (SPLA). Sudan again experienced another successful military coup d’état led by General Omar Hassan al-Bashir in 1989. Bashir’s regime received a strong support of the National Islamic Front (NIF), which was an extremely well-organized and vocal fundamentalist group led by Dr. Hassan al-Turabi. Further Bashir’s administration enforced strict Sharia – Islamic law and all these did not augur well with President Bush’s administration.

The Sudanese military regime also allowed the creation of Iranian-sponsored bases reportedly designed to train Islamic militants for terrorist actions throughout Africa. This situation was heightened by the killing of two Sudanese aid workers in the Southern town of Juba. Messrs.
Andrew Tombe and Aboudin Talle were executed by Sudanese government in September 1992, being accused of treason that they used a USAID radio to direct shelling by the insurgent SPLA forces. The US-Sudan relation was restrained following that incident. Much as the US Embassy in Khartoum protested, including a statement by State Department that Bashir regime should be condemned for its clear violation of international legal standards; Bashir government went on further to ban US diplomats from travelling to the Southern part of the Sudan.

The fourth foreign policy toward Africa was the involvement in the resolution of regional conflicts by the US. The US alongside other world powers has been involved in solving conflicts in Africa. The US helped brokered accords that led to the withdrawal of South African forces from Namibia, and which eventually led to the attainment of independence of Namibia in March 1990 with Sam Nujoma, African nationalist as the first president of a multiracial, multiparty democracy in the African continent. Assistant Secretary of State for African Affairs Chester Crocker made this resolution a success. He convinced the US government of the need to broker in the negotiating process. This event was equally made a success by the willingness of the Soviet Union to pressure its Angolan and Cuban allies to accept a negotiated settlement.

The end of the Cold War continued to be a blessing to African nations in disguise in that the US and the former Soviet Union demonstrated a willingness to facilitate a negotiated settlement of civil wars in Mozambique and Angola as well as worked together in fostering a peaceful solution to the apartheid in South Africa. Due to West-East conflict, other African conflicts were apparently internationalized and thus the issue of Horn of Africa was also discussed at a June 1989 meeting between Assistant Secretary of State for African Affairs Herman Cohen and Soviet
Deputy Foreign Minister Anatoly Adaminshin, and this move continued well into the aftermath of the overthrow of both the regimes of Mengistu of Ethiopia and Siad Barre of Somalia in 1991. Despite all these efforts to resolve conflicts in Africa, a significant constraint on the US was the historical neglect of Africa by both the White House and Congress (Dobson 2006).

With the end of the Cold War, opportunity brought itself for America to lead the world. Of the many nation-states, African nations were the most underdeveloped. Pro-African administration officials such as Clinton’s first National Security Adviser Anthony Lake identified three sets of American interests in Africa: pre-emptive measures were required to help obviate the need for hasty emergency responses to recurrent African humanitarian crises; Africa was also key source of transnational threats, including drug, arms and human trafficking, environmental degradation, disease and terrorism. The 1998 terrorist attacks on the US embassies in Kenya and Tanzania reinforced the last point on terrorism. Also the strong feeling and fear that Islamic fundamentalism might fill the soviet vacuum for example the rapid deteriorating US-Sudanese relationship following successful military coup in 1989; the third interest constituted the economic opportunity dimension that Africa still possessed strategic minerals and other primary goods, offered potential American investment and, in the more distant future could become important market for the US goods (Dobson 2006).

Keller (2014) notes that one of the major goals of US foreign policy is to combat international terrorism, and Africa as a whole is vulnerable as a breeding ground and incubation site for international terrorists. Indeed, international terrorism thrives amidst poverty and underdevelopment, and nowhere is this more case than in present day Africa. And that what this
represents for the African continent is both strategic and a human security challenge. Once again, Keller reaffirms that Africa has never been central to US foreign policy. And that during the Cold War, US foreign policymakers defined its vital interests as fighting and containing communism wherever it might appear. In pursuit of this vital interest, a consistent axiom of US foreign policy has been that the US has no permanent friends or enemies, only permanent interests.

In 2002, the US demonstrated its resolve to develop partnerships with the countries of Africa to assist them in developing capacity to fight terrorism. The US created Combined Joint Task Force - Horn of Africa (CJTF-HoA), which is headquartered in Djibouti. Until creation of this Joint Task Force, the relation between Djibouti and the US was minimal. A military base was established for American personnel at Camp Lemonier near Djibouti International Airport. The mission of CJTF-HoA is to gather intelligence on an ongoing basis and deter, preempt, and disable terrorist threats from wherever they may emanate in the region. Serious threats currently could be found in Somalia, Kenya, and Yemen (Keller 2014).

Despite the fact that the US appears to exercise its authority as sole superpower by establishing AFRICOM, Kisangani’s analytical view on the US foreign policy towards Great Lakes Region (GLR) leaves a lot to be desired. The GLR consists of countries namely Burundi, Rwanda, Uganda, the eastern Democratic Republic of Congo (DRC or Congo), and western Tanzania. Pointing out on the issue of security, Kisangani wonders that despite the military and economic power of the US, the Rwanda Genocide was never a crisis of concern for the US to intervene. Kisangani (2014) notes that as the killings began in Rwanda in April 1994, the Clinton administration decided against taking action on a preventive nature fearing that the risks
outweighed the potential rewards. That the administration even downplayed the killings by questioning whether they were in fact a genuine case of genocide. And as a result the US avoided its obligation to take action under the Genocide Convention. The United States even refused to be involved in any peacekeeping exercise intended to mount a strong military response to halt the killings in Rwanda at the UN level. Kisangani explains that the Security Council with full backing of US Government voted in April 21, 1994 to withdraw the main body of peacekeeping operations in Rwanda thereby leaving behind a small force of 264 troops.


Under every administration of each president, specific policy has been developed and/or continuation of a national interest policy in which each of the three countries have played specific role that has expanded the US-Africa relations. During the Clinton administration, trade policies and enlargement of democratic ideals formed the bedrock of US foreign policy toward Africa; the major policy under President George W. Bush was the war on terrorism, the militarization of Africa, and HIV/AIDS policy; and President Obama’s administration has witnessed the
continuation or changes in these policies. The US administration during the tenure of these presidents have insisted that African governments and politicians should adopt policies and laws that uphold human rights, encourages economic growth and development, create viable institutions and ensure democratic governance, and uphold the rule of law (Veney 2014).

The US democracy promotes liberal values and civic elite behavior drawn from Western egalitarian development. Edozie (2014) however states that Africa including other developing countries prefer to construct democratic systems that are adaptable to its own historical and socio-cultural contexts. The structural contexts include colonialism, ant- and neo-colonialism, global dependency and inequality, late economic development and poverty, late nation-state formation and regime stability, and cultural pluralism; all which have influenced a different experience with liberal democratization for African continent. Edozie explains that Africans have adopted hybrid forms of democratic modernity in ways that negate the normative, linear modernization and neo-modernization theoretical constructs.

Salem (2014) explains that as a champion of democratic principles of political pluralism, the US was rather pessimistic in its influence in the Middle East and North Africa following the Arab revolts of early 2011. Self-proclaimed realists were more pessimistic given their world view, that revolutions can change the objective, materialistic conditions of international power relations and which they regard as basic to the structure of the international system. Shortly after the outbreak of the Arab revolutions, the US President portrayed himself as a champion of the new democratic wave in the Middle East and North Africa. This was evident on speech of President Obama he delivered at the Department of State on May 19, 2011. However, the US administration was caught
unprepared for any political leadership change in Egypt. After a full week of continuous mass demonstration, President Obama expressed his conviction of the need to change and sided openly with revolutionaries. The US administration enticed Supreme Council of the Armed Forces (SCAF) to step in and force Mubarak to step down. In mid-March 2011, the US secretary of State visited Cairo, met SCAF leaders and Egypt’s foreign minister, and announced the US support of the steps being taken to lay the groundwork for free and fair elections.

2.1 US Partnership-Interventionist Foreign Policies

James A. Nathan and James K. Oliver (1994) state that Congress is a constitutionally mandated partner of the president and has played an active role in US foreign policy-making for the most of the history of the republic. In the early 1990s, the brief Gulf War seemed to reestablish presidential primacy. But the effect was momentary: the collapse of the Soviet Union cut away the basis of American foreign policy for the preceding forty-five years. The Bush administration, led by the Cold War tacticians, asserted the US leadership in the creation of a “new world order.”

Mbaku (2014) notes that with the end of World War II, opportunities presented themselves in Africa that the US could participate in to maintain good relationship. The opportunities included promotion of economic growth and development; maintenance of peace and security in Africa, which is good both for the US and Africa; the energy market in Africa and US interests; and creating mutually beneficial US-Africa commercial relationship that has seen the enactment of trade policy, AGOA. Mbaku underscores the need for external development assistance to Africa though African continent should take the lead in resolving its own problems including economic development.
According to Mbaku, (*The Economist* 2000) referred to Africa as “Hopeless Continent”, and (*The Economist* 2011, 2013), referred to Africa as “Rising Contingent” and the “Hopeful Continent.” Africa Growth Initiative (AGI), a Washington, D.C. based Brookings Institution, acknowledges that a positive view about Africa is justified by the fact that Africa host some of the fastest growing economies in the world. Africa is one of the leading oil-producing regions in Africa. In 2010, the leading oil-exporting countries in Africa were Nigeria, Angola, Libya, Algeria, Republic of Congo (Congo-Brazzavile), Gabon, and Egypt. Other oil producing countries in Africa are Cameroon, Equatorial Guinea, Tunisia, South Sudan, Chad, South Africa, Cote d’Ivoire, Mauritania, and Ghana. And in recent years, commercially viable deposits of oil and gas have been discovered in Kenya and Uganda, and exploitation is underway.

Mbaku also affirms that the African Growth and Opportunity Act (AGOA), was enacted into law on May 18, 2000, as Title 1 of The Trade and Development Act of 2000 and designed to cover period from October 2000 to September 2008. In July 2004, President George W. Bush signed into law amendments extending AGOA to 2015. The law signed by President Bush also extended AGOA’s special dispensation covering apparel by three years to 2007. Then, in December 2006, AGOA’s garment provisions were extended to 2012. Relying on Liberia theory, AGOA was designed to provide tangible incentives for African countries to continue their efforts to open their economies and build free markets. In other words, AGOA provisions created status for reforming African countries with the most liberal access to the US market available to any country or region with which the US does not have a Free Trade Agreement. This provision also supports US
business by encouraging reform of Africa’s economic and commercial regimes, which build stronger markets and more effective partners for US firms (Mbaku 2014).

Many African governments hardly finance their budgets in totality from their resources. Developed economies cushion such deficits under the aegis of development partnership by advancing either financial assistance to African nations repayable as a long term loan, or in the form of a grant. Health services are hardly budgeted for fully and controlling diseases such as tuberculosis, HIV/AIDS, malaria have become problematic. HIV/AIDS has been a critical health issue in Africa. The HIV/AIDS pandemic prompted an initiative by the US President George W. Bush to intervene in this health crisis dubbed the Presidential Emergency Plan for AIDS Relief (PEPFAR) with an aim to curb the spread of the disease in Africa.

The United States Agency for International Development (USAID) has been in the forefront in advancing aid to developing countries to promote development activities in Africa. The partnership initiative to promote African trade thereby increasing trade between the US and African nations was the formulation of African Growth and Opportunity Act (AGOA) by President Clinton in November 1999 to promote African textile industry to allow the export of such products to the US duty-free.

The Clinton administration assented to the AGOA on May 18, 2000 to enable African states to export textiles products to the American market and at the same time become actively integrated in the globalizing world. George W. Bush extended this agreement and in July 2005, hailed its success noting that even America’s export to Africa increased.
2.2  **Partnership for trade development: US trade with African nations, AGOA policy**

Africa is endowed with natural resources that include minerals, forests, water, and fertile land. Most African resources are exported in raw form to developed economies which do not fetch good returns to African nations. The developed economies like the US, Europe, Britain, and Asia nations proclaim that there is always no value added to such resources. These products additionally face stiff importation tariff as part of international trade practice. It was likely that this kind of background prompted key US policy makers to formulate a policy in which some products from Africa could be exported competitively alongside other exporters to the US around the world. A partnership initiative was the AGOA policy aimed at promoting trade and development in Africa by allowing export of goods to the US duty-free. Textile/apparel products have been exported in large volumes to the United States. US Congress (2000) as well as the US Government (2000) explain trade and development act of 2000 which give of a comprehensive report on US trade and investment policy toward sub-Saharan Africa.

Volman (1998) explains that the AGOA act was introduced in Congress in February 1996 and again in 1997 which addressed proposals by the Clinton administration on comprehensive trade and development policy for Africa. The act contains provision to expand African access to US markets by substantially increasing the number of products to be exported to the United States duty-free under the generalized system of preferences (GSP) initially for 10 years and this would also eliminate quotas on textiles and clothing manufactured in Kenya and Mauritius.
The AGOA also contains provisions to establish equity and infrastructure funds under the Overseas Private Investment Corporation (OPIC) to finance US private investment in Africa, to direct the president to begin negotiating one or more trade agreements with the African countries aimed at creating a US-Africa free trade area; it also established a US-Africa trade and economic cooperation forum where the US and African government officials could meet to discuss economic matters; it also created the position of the US trade representative for Africa within the Office of the US Trade Representative (USTR); and it was also to provide debt relief by writing off concessionary loans made by the United States to the poorest African Countries; and finally by supporting efforts to reduce the debts owed by African countries to multilateral institutions.

Ikiara (2003) also reaffirms that the AGOA initiative was signed into law on May 18, 2000. This was after several years of struggle between the Clinton, executive branch of the Government and the US Congress. Under the Title 1 of the US Trade and Development, the purpose of AGOA Act was to provide trade between the US and Sub-Saharan Africa and Caribbean countries. The objectives of AGOA are to increase trade between SSA and the US through the reduction of tariff, non-tariff and other barriers through negotiation of trade agreements. The Act was also to integrate African region into the global economy and to expand US assistance to the region.

Margaret Lee considers the US trade initiative, AGOA, as one of the initiatives towards saving Africa which was signed into law by the Clinton administration on May 18, 2000. One of the major objectives of the Act is to provide African countries with greater access to US markets. While several African countries have benefited from AGOA, it is significant that most beneficiaries have been oil-producing countries. For example, in 2003, of the $14 billion exported
to the US under AGOA, 80 per cent, or over 11 $ billion, was from oil-producing countries. The US government, of course, puts a spin on the AGOA figures. So in 2004 it announced that the US increased its imports from Africa in 2003 by 55 per cent over 2002 (Lee 2004a: 7-8; Office of the United States Trade Representative 2004:1), as quoted in Lee (2006). What it did not report is that 80 per cent of this increase was due to America’s increased appetite for oil from Africa, and not other products that could in fact seriously begin to make a contribution toward the eradication of African poverty.

AGOA trade statistics for 2005 reinforce the above assessment in that major beneficiary countries were Nigeria (with over half of all exports), Angola, Gabon and South Africa; that exported ‘energy-related’ products. Countries other than the four listed above that benefitted significantly from AGOA in 2005 include Lesotho, Madagascar, and Kenya (AGOA.info 2006). AGOA, it has been suggested, is “more of a propaganda tool than an effective instrument to foster trade between the US and African countries” (Carbone 2004:541), as quoted in Lee (2006).

2.3 US interventionist response to HIV/AIDS Pandemic: PEPFAR policy

The disease, AIDS was detected in the US in 1981 according to a report: Morbidity and Mortality Weekly Report dubbed Pneumocystis pneumonia, and in 1982 this syndrome was named AIDS (acquired immune deficiency syndrome) by researchers and the US government officials (Valdiserri 2003).

Tony Barnett and Alan Whiteside (2006) note that HIV/AIDS is predominantly a sexually transmitted disease. It causes illness and death among mature adults. The groups at greatest risk
are those between 15 and 50 years of age, often described as the ‘sexually active’. These are the most productive people in any society.

Note that AIDS is the acronym for Acquired Immunodeficiency Syndrome. Thus AIDS is defined as the end-stage disease manifestation of an infection with a virus called the human immunodeficiency virus (HIV). The virus infects mainly two systems of the body, the immune system and the central nervous system, and disease manifestations are consequent on damage to these two systems (Schoub1999).

The devastating disease of the time was detected in the US in the beginning of 1980s amongst few cases of homosexual male patients with unusual infections and tumours that heralded what is now the HIV/AIDS (Schoub 1999). One of the major functions of the World Health Organization (WHO) is tracking and monitoring of human diseases worldwide. In nearly all countries, there is surveillance and charting level unit for origin and development of both infectious and non-infectious diseases, a process good for maintenance of public health (Schoub 1999). In May 1985, 10,000 cases of AIDS were reported in the USA and 167 cases in UK. All developed economies vigorously researched and monitored the epidemics of the AIDS.

The uncontestable fact is that AIDS was first recognized in the USA and only somewhat later was the epidemic as such observed in Europe and the African continents (Schoub1999). However, some Belgian and French workers postulate as published in 1984 that the disease was not new and that AIDS ever existed in Africa except that it was either silent, or unrecognized. That this disease should have been diagnosed long time ago except that African countries still have poor laboratories
or nonexistent. The theory that AIDS is an age-old disease in Africa is further supported by facts that many diseases in Africa have not been diagnosed for example; fever is usually ascribed to malaria and pneumonia to tuberculosis. And that the origins of Marburg and Ebola viral hemorrhagic fevers are still shrouded in mystery.

PEPFAR was a President George W. Bush initiative and legislated by Congress as foreign policy to help curb the spread of AIDS epidemics in the African continent. Despite back and forth debating on the initiative, the Congress formerly approved the policy and was signed into law in 2003. Alongside PEPFAR strategy to prevent the AIDS epidemics is the US Center for Disease Control (CDC), a health department involved in research on drugs on various diseases around the world.
Chapter Three

Kenya Trade and Investment relation with the United States

3.1 Introduction
The US Congress legislation on the President Clinton administration initiative to establish African Growth and Opportunity Act (AGOA) has led to the voluminous trade between sub-Saharan Africa nations and the United States. Economic effects of such trading activities are the tremendous development in such areas as job creation and gradual eradication of poverty. The act was signed into law in the year 2000 as most of the requirements of the act were completed by November 1999. The act contains provisions to expand African nations’ access to US markets by substantially increasing the number of products that can be exported from sub-Saharan Africa to the United States duty free.

However, African nations had to meet eligibility conditions before enjoying the benefits of AGOA that included: establishment of market-based economies; development of political pluralism and the rule of law; elimination of barriers to US trade and investment; protection of intellectual property; efforts to combat corruption; policies to reduce poverty; increase availability of health care and educational opportunities; protection of human rights and worker rights and; elimination of certain practices of child labour.

Kenya’s Ministry of East Africa Affairs, Commerce and Tourism fully participated in all AGOA activities. The ministry provided the necessary documented-quantitative information on AGOA
trade transaction activities between the US and the rest of other participating countries. Of importance is the Kenya Export Processing Zone Authority (EPZA), the government instituted authority that oversees the operation of textile industry activities in Kenya. Export processing zones authority provides the actual manufacturing and export details of Kenya’s trade with the United States.

Kenya was among the first countries to sign to AGOA act. Other countries that met the conditions are: Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Chad, Comoros, Democratic Republic of Congo, Djibouti, Ethiopia, Gabon, The Gambia, Ghana, Guinea, Guinea-Bissau, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, South Africa, Swaziland, Tanzania, Togo, Uganda, Zambia, and Cote D’ivoire.

3.1.1 Progress in Trade and Investment

Kenya is the 4th largest trading partner with the US in Sub-Saharan Africa. Kenya exports majority of its products duty free to the US. AGOA trading strategy with the US has positively impacted Kenya’s textile and apparel sector. Export Processing Zones (EPZ) largely account for the country’s apparel exports to the US. In addition, other sectors in Agriculture have also gained growth in exports to the US. Such products include coffee, nuts, and horticulture (flowers), all duty free exports. Since AGOA inception, exports to the US have doubled, see table diagram below:
<table>
<thead>
<tr>
<th>Product</th>
<th>Year 2002</th>
<th>Year 2003</th>
<th>Year 2004</th>
<th>Year 2005</th>
<th>Year 2006</th>
<th>Year 2007</th>
<th>Year 2008</th>
<th>Year 2009</th>
<th>Year 2010</th>
<th>Year 2011</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Green coffee</td>
<td>12,714</td>
<td>15,259</td>
<td>13,796</td>
<td>21,210</td>
<td>24,092</td>
<td>26,293</td>
<td>36,317</td>
<td>32,801</td>
<td>32,905</td>
<td>38,905</td>
<td>215,387</td>
</tr>
<tr>
<td>Fruits and preparations, including frozen juices</td>
<td>1,130</td>
<td>1,077</td>
<td>76</td>
<td>18</td>
<td>1,361</td>
<td>182</td>
<td>3,841</td>
<td>4,293</td>
<td>1,921</td>
<td>299</td>
<td>13,899</td>
</tr>
<tr>
<td>Nuts and preparations</td>
<td>1,688</td>
<td>6,112</td>
<td>14,986</td>
<td>10,188</td>
<td>7,363</td>
<td>4,178</td>
<td>6,204</td>
<td>5,015</td>
<td>20,283</td>
<td>30,685</td>
<td>76,017</td>
</tr>
<tr>
<td>Tea and spices, preparations</td>
<td>12,321</td>
<td>9,125</td>
<td>8,349</td>
<td>9,371</td>
<td>11,137</td>
<td>10,929</td>
<td>13,321</td>
<td>12,881</td>
<td>17,933</td>
<td>15,903</td>
<td>105,367</td>
</tr>
<tr>
<td>Fish and shellfish</td>
<td>3,014</td>
<td>1,259</td>
<td>2,994</td>
<td>2,379</td>
<td>2,996</td>
<td>3,437</td>
<td>2,258</td>
<td>825</td>
<td>922</td>
<td>469</td>
<td>20,084</td>
</tr>
<tr>
<td>Other (tobacco, waxes, nonfood oils)</td>
<td>7,442</td>
<td>7,256</td>
<td>9,055</td>
<td>9,189</td>
<td>9,147</td>
<td>5,594</td>
<td>1,469</td>
<td>1,367</td>
<td>1,393</td>
<td>3,156</td>
<td>51,912</td>
</tr>
<tr>
<td>Apparel and household goods - cotton</td>
<td>97,195</td>
<td>156,979</td>
<td>240,409</td>
<td>226,665</td>
<td>222,411</td>
<td>200,480</td>
<td>199,082</td>
<td>158,489</td>
<td>164,492</td>
<td>181,955</td>
<td>1,666,202</td>
</tr>
<tr>
<td>Apparel and household goods - other textiles</td>
<td>28,163</td>
<td>30,110</td>
<td>34,957</td>
<td>41,919</td>
<td>38,928</td>
<td>46,175</td>
<td>45,638</td>
<td>36,694</td>
<td>35,213</td>
<td>71,890</td>
<td>337,797</td>
</tr>
<tr>
<td>Sporting and camping apparel, footwear and gear</td>
<td>211</td>
<td>638</td>
<td>1,882</td>
<td>2,205</td>
<td>1,713</td>
<td>361</td>
<td>218</td>
<td>17</td>
<td>2,147</td>
<td>7,020</td>
<td>16,412</td>
</tr>
<tr>
<td>Toys, shooting and sporting goods, and bicycles</td>
<td>1,228</td>
<td>1,249</td>
<td>1,180</td>
<td>1,338</td>
<td>1,681</td>
<td>2,121</td>
<td>1,549</td>
<td>1,880</td>
<td>2,165</td>
<td>2,464</td>
<td>14,391</td>
</tr>
<tr>
<td>Artwork, antiques, stamps, and other collectibles</td>
<td>3,099</td>
<td>1,667</td>
<td>1,909</td>
<td>1,878</td>
<td>2,228</td>
<td>1,550</td>
<td>1,319</td>
<td>1,334</td>
<td>1,510</td>
<td>1,492</td>
<td>16,494</td>
</tr>
<tr>
<td>Nursery stock, cut flowers, Christmas trees</td>
<td>1,220</td>
<td>1,658</td>
<td>1,601</td>
<td>1,725</td>
<td>1,668</td>
<td>1,454</td>
<td>1,713</td>
<td>2,388</td>
<td>2,625</td>
<td>3,576</td>
<td>16,052</td>
</tr>
<tr>
<td>Other gem stones-precious, semiprecious, and imitations</td>
<td>825</td>
<td>952</td>
<td>1,299</td>
<td>1,454</td>
<td>1,884</td>
<td>2,131</td>
<td>1,535</td>
<td>1,909</td>
<td>1,557</td>
<td>1,785</td>
<td>13,546</td>
</tr>
<tr>
<td>U.S. goods returned, and re-imports</td>
<td>7,086</td>
<td>4,500</td>
<td>8,812</td>
<td>6,414</td>
<td>6,237</td>
<td>6,159</td>
<td>10,135</td>
<td>8,843</td>
<td>15,236</td>
<td>9,441</td>
<td>73,422</td>
</tr>
</tbody>
</table>

_U.S. Census Bureau, Foreign Trade_

Notwithstanding the increased export of Kenya’s textile/apparel to the US, the expiration of Multi-Fiber Arrangement (MFA) system of quotas in 2005 created stiff competition from well-established apparel producers in Asia particularly China, Bangladesh, Cambodia, and Vietnam. Nevertheless apparel still remains the main export to the US under AGOA enactment.80% of Kenya’s textile/apparel for export is produced under EPZ.
Immense increase has been experienced in Kenya’s export to US in the year 2013 with amounts increasing from US$ 255 million in 2012 to US$ 308 million, a percentage increment of 21%. This increase in exports impacted positively on employment and investment under the EPZ as shown in table diagram below:

**Impact of AGOA on EPZ Apparel Sector: 2001 – 2013**

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Enterprises</td>
<td>30</td>
<td>35</td>
<td>30</td>
<td>25</td>
<td>25</td>
<td>22</td>
<td>18</td>
<td>19</td>
<td>16</td>
<td>18</td>
<td>22</td>
<td>22</td>
<td>0</td>
</tr>
<tr>
<td>Investment (Kshs million)</td>
<td>6,908</td>
<td>9,710</td>
<td>8,595</td>
<td>9,977</td>
<td>10,317</td>
<td>8,314</td>
<td>7,578</td>
<td>5,490</td>
<td>6,959</td>
<td>7,407</td>
<td>10,732</td>
<td>11,966</td>
<td>11.5</td>
</tr>
<tr>
<td>Exports to US (Kshs million)</td>
<td>8,149</td>
<td>11,083</td>
<td>17,575</td>
<td>14,688</td>
<td>14,894</td>
<td>13,768</td>
<td>15,811</td>
<td>12,699</td>
<td>16,190</td>
<td>20,948</td>
<td>20,217</td>
<td>23,989</td>
<td>18.7</td>
</tr>
<tr>
<td>Imports (Kshs million)</td>
<td>5,699</td>
<td>7,121</td>
<td>10,012</td>
<td>8,592</td>
<td>7,674</td>
<td>8,439</td>
<td>9,146</td>
<td>6,443</td>
<td>10,123</td>
<td>13,966</td>
<td>14,699</td>
<td>20,079</td>
<td>36.6</td>
</tr>
<tr>
<td>Annual average exchange rate (Kshs/US$)</td>
<td>78.7</td>
<td>75.9</td>
<td>79.3</td>
<td>75.6</td>
<td>72.1</td>
<td>67.3</td>
<td>69.2</td>
<td>77.4</td>
<td>79.2</td>
<td>88.9</td>
<td>84.5</td>
<td>86.1</td>
<td></td>
</tr>
</tbody>
</table>

Source: Ministry of East African Affairs, Commerce and Tourism

By comparison, 10 countries listed below contributed 99.4% of all apparel exports to the US under AGOA. Whereas each of these countries exported slightly more apparel than shown in the table, the figures are for exports under AGOA preferences. Kenya retained number two position in value of sub-Saharan Africa (SSA) apparel exports to the US made from third country fabric. Kenya also retained top position in the SSA apparel exporters to the US in terms of quantity (square meter equivalents) as seen below:


|---------|------|------|------|------|------|------|------|------|------|------|------------------------|

58
UNCTAD (2002) also observes that estimated investments worth $13 million was made in Kenya due to AGOA. The resultant economic gains were generation of many jobs. The underlying factor for such success is the permission under AGOA members to access/source and import competitive fabrics from Asia and other parts of the world. Despite such high voluminous trading activities, Kenya faces some impediments that include constraints such as: transport to the US market; US market requirements; credit facilities for exporters; minimal representation in the US; and technology and production. Kenyan industries cannot compete with advanced US industries using modern machinery hence Kenya is blamed for not adding value to its products. Tea exports to the US consist mostly of black tea exported in bulk with little or no value addition hence fetches very little returns.

The high market standard requirements in the US tend to bog down Kenyan exporters. Horticulture in particular faces stringent requirements including Maximum Residue Levels (MRLs) of pesticides, Sanitary and Phyto-sanitary Standards (SPS), traceability, social accountability, and environmental safety. Kenya is thus required to do Pest Risk Analysis (PRA) which takes a long
time. Export sector faces financial difficulties especially Micro, Small and Medium Enterprises (MSMEs). Access to export credit facilities is meager. And in the course of export process, exporters come to realize that there is no strong representation of Kenya in the US. There is only one commercial attaché serving the entire US. This attaché is ever recalled back to Kenya any time. This therefore hinders Kenyan exporters in coming up with strategic country branding that would target specific or average American consumer. The exporters need commercial attaché on the ground to advise them on the business in the US and the processes of interaction with government officials that handle the export of goods.

3.1.2 The milestones in AGOA activities: AGOA Forum in August 2009

Kenya hosted the 8th United States sub-Saharan African Trade and Economic Cooperation Forum (TECF - 8th AGOA Forum) in Nairobi. This confirmed Kenya’s key position in AGOA activities continental wide.

3.1.3 AGOA Forums 2010 & 2011

Kenya participated in the 9th and 10th United States sub-Saharan African Trade and Economic Cooperation Forum in the US and Zambia respectively.

3.1.4 AGOA Forum 2012

The 11th United States sub-Saharan African Trade and Economic Cooperation Forum was held in Washington D.C., U.S.A from 14th to 15th June 2012. Kenya joined the rest of the sub-Saharan countries and successfully lobbied to have AGOA extended to 30th September 2015. It was dubbed
Third Country Fabric Provision beyond September 2012, allowing the use of fabrics from countries that are not eligible.

3.1.5 Establishment of National Committee on AGOA (NC-AGOA)

The National Committee on AGOA (NC-AGOA) was formed in November 2011. The Committee has a membership of 42 institutions including Government ministries, agencies, private sector as well as the civil society. The committee formed four subcommittees namely Agriculture, Non-agriculture, Textile & Apparel, and Policy & Advocacy. The Committee which meets once every month is pivotal in preparation for the AGOA Forum, held annually, and the development of the country position paper used during these events. Additionally, Kenya formulated National AGOA Strategy in collaboration with the USAID COMPETE program as sponsor. The strategy was prepared in consultation with members of the NC-AGOA. The draft document was presented to the Committee on 29th May 2012 and after amendments and additions, was approved on 9th August 2012 by NC-AGOA. The purpose is to ensure Kenya firms continue to access US market without hitches.

3.1.6 County outreach programs

With the devolved governance in Kenya implemented, the need has arisen to outreach to devolved governments and prepare them for full participation in exporting products into the US market. Foremost in this outreach campaign is sensitization of the public on opportunities provided by the AGOA. The Committee has partnered with African Cotton & Textiles Industries Federation (ACTIF) to organize outreach workshops in five major towns namely Machakos, Embu, Kisumu, Malindi, and Nairobi. The outreach programs have been focused on identifying potential new
products with the aim of developing them for export, through the Export Promotion Council (EPC) to the US.

3.1.7 Future Plans for AGOA: Extension of AGOA

African countries advocated for the extension of AGOA beyond 30 September 2015. The purpose was to continue trading and investment activities. And true to their advocacy, United States Trade Relations (USTR) announced the extension on Tuesday 23 June 2015 for the next 10 years.

3.1.8 Extension of Third Country Fabric Provision

The US favoured some countries that did not meet criteria to trade with the US under AGOA. A provision was developed, The Third Country Fabric Provision (TCFP) to espouse such countries. The term for trading with such countries was equally extended to 30 September 2015. African nations are equally advocating for Third Country Fabric provision be extended as long as AGOA policy is effective.

3.1.9 US- EAC Trade and Investment Agreement

The USAID has developed 2014-2018 Country Development and Cooperation Strategy (CDCS) that involves development partnership with EAC to promote regional trade and investment thereby enabling AGOA policy to entrench its activities in one trading bloc. This policy is contained in a Presidential Policy Directive (PPD) and signed by President Obama on June 14, 2012. It sets out four strategic objectives: 1) Strengthen democratic institutions, improve governance, and protect human rights; 2) Spur economic growth, trade and investments; 3) Advance peace and security; and 4) Promote opportunity and development (USAIDKenya 2014).
3.1.10 Monitoring and Evaluation factor

Monitoring and Evaluation mechanism needs to be improved as the country continues to export more products to US market. This enables assessment of achievements of AGOA at any particular time.

3.2 AGOA Case Study in Kenya Illustrated: Export Processing Zones Program (EPZ)

Kenya has witnessed great advancement in its local industries due to AGOA trade agreement. The Export Processing Zones Program comprises many industries located at specific areas and their produce have created high impact on Kenya’s exports to the United States. The illustrated success stories of EPZ can easily be realized from the many presentations it has done to the various bodies including private, public, diplomatic posts and international organizations. Each presentation is usually a project with new factor(s) included; other details could be the same. The organizations always seek to learn the success story of EPZ.

3.2.1 Investment opportunities in Kenya's Export Processing Zones (EPZ)

Kenya is centrally placed in the East Africa region. It is therefore a key location for all connections amongst East Africa region cities and towns for trading and investment activities.
Kenya has continued to espouse modernization as part of economic growth and wider aspect of development. The Export Processing Zones Program is an integral economic activity that has enhanced industrial development in the country. There have been great improvements on infrastructure in key areas such as sea and airports to ensure smooth trading movements and investment opportunities.

<table>
<thead>
<tr>
<th>MACRO – ECONOMIC AND POPULATION INDICATORS</th>
<th>VALUES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population (2013, Millions)</td>
<td>44.3</td>
</tr>
<tr>
<td>Population CAGR (2000-13, %)</td>
<td>2.7</td>
</tr>
<tr>
<td>Population Age 15 - 35 (2013, %)</td>
<td>62</td>
</tr>
<tr>
<td>GDP Current (2013, US$)</td>
<td>55,243</td>
</tr>
<tr>
<td>GDP Growth Rate (2013, %)</td>
<td>5.7</td>
</tr>
<tr>
<td>GDP per capita (2013, US$)</td>
<td>1,246</td>
</tr>
<tr>
<td>Inflation Rate (2013, %)</td>
<td>5.7</td>
</tr>
<tr>
<td>Total exports (2013, US$ Millions)</td>
<td>5,834</td>
</tr>
<tr>
<td>COMESA exports (2013, US$ Millions)</td>
<td>1,598</td>
</tr>
</tbody>
</table>

SOURCE: World Bank World Development Indicators; Central Bank of Kenya

Table 4
Path towards modernization

Source: Export Processing Zones Headquarters

Table 6

<table>
<thead>
<tr>
<th>Economic diversification by sector (2013)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture</td>
</tr>
<tr>
<td>Public services</td>
</tr>
<tr>
<td>Wholesale &amp; retail trade</td>
</tr>
<tr>
<td>Transport &amp; communication</td>
</tr>
<tr>
<td>Manufacturing</td>
</tr>
<tr>
<td>Financial services</td>
</tr>
<tr>
<td>Construction</td>
</tr>
<tr>
<td>Other</td>
</tr>
</tbody>
</table>

Source: EPZs
Table 5

Investment guarantees

- Multilateral Investments Guarantee Agency (MIGA): guarantees risks on investments
- Africa Trade Insurance Agency (ATIA): provides insurance on export credit, political risk and investments
- Kenya Constitution: Guarantees against expropriation without fair compensation

Top export destinations in (US$ Billions)

<table>
<thead>
<tr>
<th>Region</th>
<th>Value (US$ Billion)</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>RoW</td>
<td>2.6</td>
<td>46%</td>
</tr>
<tr>
<td>Egypt</td>
<td>0.4</td>
<td>5%</td>
</tr>
<tr>
<td>USA</td>
<td>0.6</td>
<td>6%</td>
</tr>
<tr>
<td>Tanzania</td>
<td>0.6</td>
<td>10%</td>
</tr>
<tr>
<td>Uganda</td>
<td>0.6</td>
<td>10%</td>
</tr>
<tr>
<td>EU</td>
<td>1.3</td>
<td>23%</td>
</tr>
</tbody>
</table>

Source: Export Processing Zones Headquarters

Table 6
Textile industry has grown greatly with the introduction of AGOA and Kenya comparatively is in the forefront of apparel exports to US market. The Kenya textile industry enjoys a lot of advantages which has made it the most robust sector in Africa. The advantages include: Cost effective labour, tax benefits, access to market and speedy handling, standard infrastructure and energy, and investment opportunities.
KENYA TEXTILE ADVANTAGE (1)
COST EFFECTIVE LABOUR

- Adaptable & educated workforce with good English proficiency
- 87% literacy levels and 100% primary school enrollment
- Adaptable, trainable
- Government supported skills training for clothing industry
- 30 universities and over 100 vocational training institutions around country

Source: EPZs

EPZ TAX BENEFITS TO INCREASE PROFITS

- 10-year Corporate Tax holiday and 25% corporate tax for next decade
- 10 year Withholding Tax holiday for payments to non-residents eg. dividends, license fees, consultancy charges
- Exemption from Import Duty, Excise Duties and Value Added Tax on machinery, buildings materials, raw materials, inputs,
- 100% investment deduction allowance on buildings and machinery invested by manufacturing company, and thus increasing your tax holiday

Source: EPZs  Photo 1
KENYA TEXTILE ADVANTAGE (4)
INFRASTRUCTURE AND ENERGY

- Textile City at Athi River
- Lower electricity cost for textile, apparel and leather industry (US $ 0.09 per Kilo Watt Hour)
- Serviced land with water, electricity, sewer and road in EPZs
- Land rent US$ 5,000 per hectare (10,000 sq meters) per year or pay once at US$ 100,000
- Up to 50 year leases on land
- Ready factory buildings, warehouses and office of many sizes (600 sq m to 3,000 sq m) for lease
- Rental US$ 25-35 per sq m per year for buildings
- Cluster of support services and accessories – buying houses, zips, washing plants, chemicals

Source: EPZs – Map & photo 2

3.2.2 EPZA Presentation to the Ministry of Industry, Investment and Trade
Export Processing Zones are designated areas that possess special regulations that are different from other areas in the same country. They contain measures that are conducive to foreign direct investment (FDI). And they have superior and modern industrial infrastructure. They are strategically located and are facilitative in their operational framework.

### 3.2.3 Key considerations for selecting a location

Various factors influence the location of an export processing zones program industries in a country. EPZ program industries include locally incorporated and foreign investor industries. EPZ industries have been influenced to locate themselves in Kenya due to the following factors: profitability, favourable policies, investor protection, talent, partnership, market access and comparable industrial infrastructure.

- **Profitability:** Incremental revenues & cost savings
- **Favourable policies:** In project registration/licensing, construction permits, and other consistent government policies to do with investment facilitation at both pre and post investment stages.
- **Investor protection:** Local laws protect every person/entity equally
- **Talent:** Attracting the required skills for industry
- **Partnership:** With government and its agencies and other stakeholders for assistance
- **Market access:** To sell products and services regionally and internationally
- **Comparative Industrial Infrastructure:** At a low or minimal development cost.

The Export Processing Zones (EPZ) program was implemented as part of the Industrial Sector Adjustment Program (ISAP) initiated in 1988. EPZ was to reinforce the reform process as well as to accelerate export supply response. The government, with the support of the World
Bank implemented the Export Development Program in 1988 which recommended the establishment of an Export Processing Zone. The EPZ were established in 1990 under EPZ Act, (CAP 517) of the Laws of Kenya. The program is being managed by EPZ Authority, a government agency under the Ministry of Industry, Investment and Trade. The scheme was intended to provide for the promotion and facilitation of export oriented investment; to address infrastructural and institutional constraints to facilitate efficient export-led production; to gazette, develop and regulate EPZ and; develop the framework of how EPZ projects will operate in the designated zones.

The objectives of the program are a) promotion and diversification of exports; b) attracting new productive investments; c) employment creation; d) development of backward linkages, and e) skills and technology transfer. The mandate of the EPZ authority included: To maintain an overall favorable investment climate by addressing constraints faced by investors; advising government on policy matters that relate to the EPZ and proposing changes on the same so as to ensure continuous improvement of the investment and operating climate; assume regulatory functions; and to report to government through supply of data and statistics on the development of the EPZ program.

The structure of the authority comprise a board consisting of fourteen (14) members headed by a chairman appointed by the Head of State, while the board members are appointed from both public and private sector by the Cabinet Secretary, and the day to day running of the authority is vested in the chief executive officer. Core incentives that have enabled quick set up of EPZ
industries include financial benefits, business services, and basic infrastructure services as listed below.

**Financial benefits**

10 year corporate tax holiday (25% tax rate after 10 years);
10 year withholding tax holiday on remittances to non-residents;
Stamp duty exemption;
Import duty and VAT exemption on raw materials, machinery, and other business inputs;
100% investment deduction over 20 years for building and machinery;

**Business benefits**

Full operation under one single license, issued by EPZA;
Project approval and licensing within 30 days;
Foreign currency accounts and offshore borrowing allowed – no exchange controls;
Unrestricted investment by foreigners;
One-stop shop service for facilitation and after-care;
On-site customs documentation;

**Basic structural benefits**

Ready-made buildings - Factory buildings and office premises;
Readily available services - Water, sewage, and electricity supply; Landscaping, garbage disposal, street cleaning;
High security standards - Illuminated perimeter fence; and 24 hours security.
Meanwhile eligible activities for EPZ to operate beneficially to both government and investors have included elements such as licences, Limits, and obligations as outlined below:

**Various licences**
- Developer/Operator License
- Enterprise License
- Manufacturing/Processing
- Service
- Commercial Activities
- Business Service Permit

**Production limits**
- 80% export for manufacturing
- 100% export for commercial activities
- Export is sales outside of EAC or to another EPZ enterprise
- Must locate within an EPZ

**Obligations**
- PAYE (Staff salaries)
- Sales to domestic market (As may be applicable)
- Commercial enterprises (Corporate & Withholding Tax)
- Levies
- Statutory deductions & returns
The activities of the EPZ program include: Textiles & apparel; textile accessories; horticulture processing; floriculture processing; fortified blended foods; relief supplies; manufacture of tarpaulin; pharmaceuticals and pharmaceutical extraction; manufacture of medical supplies; blending & packaging of tea; manufacture of wattle extract; manufacture of darts and dart boards; meat processing; macadamia nut processing; extraction and packaging of avocado oil; extraction of furfural; manufacture of plastic products – seals and for the health industry; manufacture of edible oil; extraction of fruit juices; processing of beef for the Gulf market; and property development. The origin of investors on Kenya based Export Processing Zones are: USA; Belgium; South Africa; Tanzania; United Kingdom; Korea; India; Taiwan; China; Mauritius; Qatar; United Arab Emirates; Germany; Philippines; and Kenya.
3.2.4 Various successful industries as case studies outline by EPZ Authority

**Case studies**

**Photo 3i**

**Nodor (Athi-River)**
- Investment from UK,
- World leader in Dartboard Manufacture,
- 260 Employees,
- Processing about 80% of Kenya’s sisal,

**Thomas De La Rue (Nairobi)**
- Investment from UK,
- Currency & Security Print,
- 300 Employees,
- Exporting currency.

**Gold Crown Foods (Mombasa)**
- Investment from UK (Global Teas),
- 300 employees,
- Value added tea exports.

**New Wide Garments (Athi-River)**
- Investment from China/Taiwan,
- Over 2 Mn. garment pcs per month,
- 7,000 employees,

**Olivado (Muranga)**
- Investment from Australia,
- 200 employees,
- Avocado oil.

**Ivee Aqua (Athi-River)**
- Investment from India,
- 80 employees,
- Infusions, water for injections.

**Forest Gate EPZ (Laikipia)**
- Investment from Kenya,
- 800 employees,
- Fresh produce.

**Jungle Macs (Thika)**
- Investment from Kenya,
- Processing macadamia nuts,
- 540 employees,
- Winner of top 100 mid-sized companies in 2011 - KPMG
3.2.5 Export Processing Zones challenges

Despite great EPZ gains, some challenges have been experienced. They include:

- Frequent policy changes;
- High operational costs - production/operation;
- Inefficiency challenges: logistics & service delivery challenges;
- Insufficient domestic sales from the enlarged domestic market under EAC. Hence the proposal to increase the domestic sales percentage limit to 70% to cover the wider and growing EAC market;
- Economic challenges faced in the US and Europe (eurozone crisis);
- Phase out of apparel & textile quotas under WTO and increased competition (2005);
- Overreliance of the apparel sector on the US market – it is the principal market for Kenyan apparel exports therefore TPP can poses a challenge.

3.2.6 EPZA Presentation to a Diplomatic Post, the French Embassy Nairobi

Kenya’s EPZ has become a leading regional industrial zone that has drawn attention of many nations worldwide. The French embassy in Kenya approached the EPZ to learn about it, more so the success stories associated with it. The presentation to the French embassy officials was expanded to include detailed explanation of the Kenya’s development strategic plan as contained in the Kenya Vision 2030. The presentation delved into the political and economic history of the Government of Kenya. The position of Kenya in view of the entire African region, and the entire world was expounded. The presentation was conducted by the organization’s director of communications, Jonathan Chifalu, on Wednesday 27th November 2013.
Africa is such a large continent which can contain US, Argentine, India sub-continent, China, and Europe.

Source: EPZA, Map 3
Africa has undergone serious fiber optic connectivity to enhance communication network. Kenya is not an exception.

Economic statistics showing Africa’s gross domestic product, consumer spending level, advancement in communication technology, population growth, sources of revenue, and the income and expenditure of Africa’s populations was discussed to give diplomatic post officials a clear understanding of progress so far made in Africa. With the introduction of EPZ, higher levels of development are expected.
Strategic Issues: Developing Opportunities in Africa

- Internet users grew by 1,980% from 2000 to 2010 (67 million users)
- “Last mile” technologies deployment growing fast e.g. 2.5G, 3G, 4G/LTE etc.
- Mobile users 475 million in sub-saharan Africa: [http://techcrunch.com](http://techcrunch.com)
- International bandwidth price have further fallen 50 – 60% in the past 12 months!
  For example after SEACOM launch on 23rd July 2009:
  - the average cost was about USD 3,000 per Mb on satellite services;
  - the go-to-market launch prices on SEACOM were 83% off this price i.e. around USD 500 per Mb.
- Satellite no longer “king” in Africa!
- Multiple systems are bringing diversity & competition

Source: Export Processing Zones Authority
The location of Kenya in comparison to the many countries surrounding it.

3.2.8 Kenya: Boundaries - Africa Continent

Source: Export Processing Zones Authority  Map 5

3.2.9 Historical Facts on Kenya’s Economic Regime

In 1963 at independence:
- Inherited a trade and industrial policy from colonial government – Import substitution regime
- Exports: raw agricultural traditional exports with limited markets
- Low levels of capital and skilled labour
- Protectionism was high – MNCs enjoyed near monopolies

1964 – 1969
- Manufactured value added increased by 44%
- Leading sectors began to emerge: agriculture, textiles & apparel, food, beverages, tobacco

1970 – 1971
- BOP crisis: first Oil shock leading to more intensified import substitution – tariffs increased and import licensing became severe

1971-1973:
- Manufacturing grew and diversified to plastics, pharmaceuticals and motor vehicle assembly

1975 – 1977
- The famous Kenya coffee boom the price of coffee more than quadrupled increasing the countries terms of trade by 54%
  served its purpose
Historical Facts...

1980s
• Coffee prices stabilized reversing earlier terms of trade and import substitution had served its purpose – import of consumer goods had become low, trade hubs under EAC evaporated which had become an important market demand for Kenyan manufactured goods, there was a shrinking small export market as a result of Tanzania in 1977 tightening its boarders
• And hence pressure for economic reform grew

Late 80s and 1990s
• There was loosening of forex restrictions (this was a great constraint to trade)– forex C’s (Foreign Exchange Bearer Certificates. This became the first step towards liberalizing the forex regime
• The introduction of export platforms MUB - duty free imports for factory plant, equipment and raw materials but there was limited success due to garment quotas and later about 70 garment firms shut down
• Export Development program (1988) and later the EPZ program in 1990
• Duty drawback schemes which refunded import taxes paid on imports of on production of exports (EPPO, TREO)

• Source: Kenya’s Trade Liberalization, Geoffrey Gertz

3.2.10 Kenya Indicators: Investments

• Kenya’s Diaspora remitted US $ 1.246 billion Kshs. 107 billion (constitutes 4.5% of GDP) up to September 2013 (CBK records)

• As of August – September 2013, these remittances increased by 16.1%

• 30% real estate, 25% stock exchange, 5% agriculture and food industry respectively and rest in services - Hotel & Tourism, minimal in manufacturing

• Economic growth 5%
• The value of money transacted rose by 19.42 per cent to Ksh719.6 billion ($ 8.4 billion) from Kshs. 602.6 billion ($7 billion) transacted between January and May 2012. (East African July, 20th, 2013)
3.2.11 Kenya's Capital Markets

- Over the last 10 years, the capital market has raised over **Kshs 1 trillion** through bonds and equities
- Kshs 500 billion has been raised in the last 3 years notwithstanding the global financial crisis
- The value of listed securities currently at **Kshs 1.5 trillion** is more than 50% of Kenya’s GDP
- All the issues have been oversubscribed except the cooperative bank IPO which came at the midst of the global financial crisis
- The NSE index returns since the beginning of 2010 year amount to 45%

Source: CMA

3.2.12 Determinants of Competitiveness

- Public and Private sectors play different but interrelated roles in creating a Productive Economy and hence the term PPP (Public Private Partnership)
- Kenya recently discovered deposits of oil but it will take time for the benefits of this sector to enhance competitiveness but this will be a factor in future.
- The Government’s role is to create an enabling environment for private sector productivity and new business development
- This understanding is guided by the Current Government’s blue print Vision 2030
- The availability of investment programs EPZ/SEZ; and others
3.2.13 Guiding Blueprint: Vision 2030 - A globally competitive and prosperous nation with a high quality of life by 2030

- **Economic**: To maintain a sustained economic growth of 10% p.a. over the next 25 years
- **Social**: A just and cohesive society enjoying equitable social development in a clean and secure environment
- **Political**: An issue-based, people-centered, result-oriented, and accountable democratic political system

3.2.14 Kenya at a glance: Vision 2030

**Economic pillar**

Strategy: 6 key sectors with potential to deliver 10% economic growth per year

- Tourism
- Agriculture (Agri-processing)
- Wholesale & Retail trade
- Manufacturing
- Business Process Outsourcing/Off-shoring (BPO)
- Financial services
3.2.15 Kenya at a glance: Vision 2030 Social Pillar:

Strategy: To transform 6 key social sectors

- Education and Training
- Health
- Water and Sanitation
- Environment
- Housing and Urbanization
- Gender, Youth and Vulnerable groups

3.2.16 Kenya at a glance: Vision 2030 Political Pillar:

Strategy: Transform Kenya’s political governance across 5 strategic areas

- Constitutional Review
- Electoral and political processes
- Democracy and public service delivery
- Transparency and accountability/Rule of Law
- Security, peace building and conflict resolution
3.2.17 What is the expected role of the private sector in realizing Vision 2030?

Companies have a critical role to play by investing in the flagship projects identified by Vision 2030 project and thereby continue driving economic growth of our country;

- Further, note that a company's competitive advantage depends partly on the quality of the business environment. Therefore...

- Kenyan based companies could participate in upgrading their business environment, by:
  - Nurturing local suppliers (e.g., SMEs) and attract foreign suppliers
  - Work closely with local educational and research institutions, to upgrade their quality and create specialized programs addressing the cluster's needs
  - Informing government on regulatory issues and constraints bearing on cluster development
  - Focusing corporate philanthropy on enhancing the local business environment
  - Taking an active role in upgrading the local infrastructure and security improvement

3.2.18 Vision 2030 is based on the following:

**Kenya's Unique Strengths**
- Gateway to east Africa
- Nairobi a regional business and air hub
- Distinctive culture
  - e.g. world class runners
  - Hospitality of the Kenyan people
- Competitive strengths in an array of clusters
  - Tourism
  - Agribusiness, e.g. cut flowers, coffee, tea
  - Logistics
  - Manufacturing
  - Power Generation
- Strong and entrepreneurial local

**Implications**
- Logistics and telecommunications infrastructure are crucial priorities
- Kenya must be highly open to trade and doing business
- Kenya's private sector is one of the country's greatest assets and must continue to be mobilized & supported
3.2.19 Introduction To EPZs

**Background:**
- EPZs established in 1990 under EPZ Act, CAP 517
- Program managed by EPZ Authority, a government agency under the Ministry of Trade

**Scheme intended to:**
- Provide for the promotion and facilitation of export oriented investment
- Address infrastructural and institutional constraints to efficient export-led production
- Develop and gazette EPZs
- Regulate the framework of how EPZ projects will operate

Source: Export Processing Zones Authority

3.2.20 Definition of Export Processing Zones (EPZ)

- Designated areas in countries that possess special regulations that are different from other areas in the same country. Moreover, these regulations tend to contain measures that are conducive to foreign direct investment. Conducting business in a SEZ usually means that a company will receive tax incentives and the opportunity to pay lower tariffs. (Wikipedia)

- Specially designated areas developed to attract foreign capital, quite distinct, from the laws and regulations that govern business in the host country. (World business Directory)

- Areas sometimes referred to as free trade zone (FTZ), development economic zone or special economic zone set up generally in developing countries by governments to promote industrial and commercial exports. These zones provide benefits and other incentives such as exemptions from certain taxes and business regulations.

Source: EPZA
3.2.21 Key features of EPZ’s

- Supported by world-class efficient and modern infrastructure, non-fiscal and fiscal concessions, and a business environment that is investor friendly with lesser bureaucratic requirements.

- Tax holidays on business income, facilities for in house Customs clearance, and exemption from paying VAT/ excise duty on the capital goods that are sourced for project development.

- Strategic location: easy access to railway station and airport, an environment that is pollution free with proper sewerage and drainage systems, and self-certification and simplification of procedures in labor administration.

- EPAs are facilitative in nature: EPZs are efficiency and procedural eased to facilitate speedy clearances, approvals, dispute resolution, and customs procedures.

Source: EPZA

3.2.23 Eligible EPZ Activities

**Activities licensed under EPZ:**

**Enterprise licences:**
- manufacturing or processing
- commercial activities – trading, breaking bulk, relabeling, repackaging, regional distribution centres (no 10-year tax holidays, no domestic sales (EAC))
- service – e.g. ICT based services, repair, brokerage, consultancy

**Developer/Operator licence:**
- for development of zone infrastructure

**EPZ Business Service permit:**
- for non-EPZ activities within the EPZs providing support services e.g. banks, catering, freight, consultancy e.t.c

Source: EPZA
3.2.24 EPZ Incentive Package

**Tax incentives**
*Reduced cost, improved profitability*

- 10-year **Corporate Tax holiday** and 25% tax rate on profits thereafter (except for commercial activities)
- 10-year **Withholding Tax** holiday
- **Duty and VAT** exemption on inputs
- **Stamp Duty** exemption

**Procedural incentives**
*Reduced bureaucracy, faster project start up*

- **Operation under essentially one license** issued by EPZ Authority
- **No minimum level** of investment
- **Rapid project approval** (under 30 days approval on application)
- **One-stop-shop service** by EPZA for set-up, facilitation and aftercare (work permits, labour relations, port, utilities etc.)
- **On-site customs documentation** and inspection

Source: EPZA
**EPZ Incentive Package**

**Infrastructure Incentives**

*Lower investment costs, improved efficiency, security*

EPZ firms may wish to:

- **Lease ready factory shells** and start immediate operations - rentals range from $2-$3.5/sq. ft depending on location

- **Lease or buy serviced land** for construction of customized buildings - Athi River EPZ offers 1ha. Plots for $5,000 annually + service charge or $100,000 for 50 years

- **Set up own EPZ** on own/leased land - EPZA physical requirements must be met

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**3.2.25 Opportunities for Investment**

**Manufacturing**

- Textile, Spinning, Weaving and Knitting Mills
  - Cotton and Synthetic Fibres,
  - Fabrics e.g. twill, corduroy, polyester, polyester-cotton, knitted and woven shirting material,
  - Carpets.

- Apparel & Fabric Products including:
  - Garments for both adults & children,
  - Garment Accessories,
  - Upholstery & home fabrics.
Opportunities for Investment

Manufacturing

- Agro-processing including:
  - Food products,
  - Plant Extracts,
  - Post harvest processing of flowers and horticulture.

- Medical and Pharmaceutical products including:
  - Human and Veterinary medicines,
  - Medical Supplies,
  - Assembly of medical equipment,

Opportunities for Investment

Manufacturing

- Plastic and Chemical products including:
  - Paints,
  - Pipes,
  - Household plastics,
  - Industrial chemicals.

- Wood and Wood products including:
  - Furniture,
  - Door and Window Frames.

Source: EPZA
Opportunities for Investment

Manufacturing

- Leather Products including:
  - Jackets, Skirts & Pants,
  - Boots, Shoes & Sandals,
  - Bags, Belts, Wallets, gloves,
  - Upholstery.

Commercial

- Regional distribution of products targeting Ethiopia, Southern Sudan, Somalia, DRC and other COMESA countries, but excluding EAC Countries.

Services

- Regional Corporate Headquarters,
- Consultancy Services,
- Information Technology Enabled Services (ITES), Business Process Outsourcing (BPO).

Source: EPZA
3.2.26 STATUS OF EPZS – 2012

EPZ firms (contribution to the Economy)
- 46 zones: 44 private & 2 public
- 98 operational enterprises plus 10 others setting up
- Total turnover Kshs. 39.32 billion
- Exports Kshs 35.4 billion
- Domestic Expenditure Kshs. 15.49 billion
- Investment Kshs. 23.6
- Imports 20.6 billion billion
- Manufacturing sector employment 14%
- Contributes approximately 2% of GDP

Source: EPZA Map 6

STATUS OF EPZS – 2012

EPZ investors
- Joint Venture 24.1%
- Kenyan 19.3%
- Foreign 56.6%

Foreign investors from: China, UK, USA, Netherlands, Qatar, Taiwan, Sri Lanka, India, Bahrain, Belgium, Germany, Hong Kong, S. Africa, Tanzania

Source: EPZA Figure 2
STATUS OF EPZS – 2012

EPZ Enterprises by licensed activity

<table>
<thead>
<tr>
<th>Activity</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service</td>
<td>16%</td>
</tr>
<tr>
<td>Commercial</td>
<td>14%</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>70%</td>
</tr>
</tbody>
</table>

Source: EPZA Figure 3

ECONOMIC CONTRIBUTION OF EPZS – 2012

10% of total exports
3% of GDP
13% of manufacturing sector employment

Source: EPZA Figure 4
3.2.27 EPZ Export Products

Agro-processing activities
- Tanning extract
- Tea processing
- Preserved flowers
- Macadamia nuts
- Cotton yarn
- Fresh produce

Fashion & casual wear

Source: EPZA Photo 4i

Source: EPZA Photo 4 ii
EPZ Export Products

Sportswear & gear

Source: EPZA  Photo 4iii

EPZ Export Products

Other activities

Currency & security documents
Fluorspar
Call centres
Pharmaceuticals & medical supplies
Plastic granules/mouldings

Source: EPZA  Photo 4 iv
3.2.28 Transformation to Special Economic Zones (SEZ) Program

- Wider range of Activities including primary activities (aquaculture: fishing, forestry)
- More flexible market orientation with higher domestic sales
- Differential incentives
- Will assist achievement of Vision 2030 priorities

Transformation To SEZ: Proposed Schemes

- Free Port/Free Trade Zone
- Science and Technology Park
- Incubator
- ICT Park and Tower
- Regional HQ
- Tourism Development Zone
- EPZs
- Industrial Park
- Medical Zones

Source: EPZA
Export Processing Zones Authority
Athi River EPZ, Off Namanga Road
P.O. Box 50563 - 00200 Nairobi, Kenya
Tel: +254-45-6626421/2/3/4/5/6, Fax: +254-45-6626427
Email: info@epzakenya.com, Website: www.epzakenya.com

Source EPZA
Chapter Four


4.1 Diplomacy

Diplomacy is an integral part of international relations studies hence its definition leads to a better understanding of public diplomacy and public affairs element in foreign policy. Diplomacy is the way to implement foreign policy of a country. Michael G. Roskin and Nicholas O. Berry (2010) explain that Hans J. Morgenthau (1904-1980) was a refugee scholar from Nazi Germany who settled in the United States. Morgenthau expounded a ‘realist’ theory that stripped away a wishful thinking. He came up with a nine (9) point rule that would make effective diplomacy: 1) “Diplomacy must be divested of the crusade spirit.” Ideological or religious doctrines aimed at making the world can only lead to war; 2) “The objectives of foreign policy must be defined in terms of the national interest and must be supported with adequate power.” Define your interests narrowly, stressing that which really matters, and make sure you have enough military power for that purpose; 3) “Diplomacy must look at the political scene from the point of view of other nations.”

Other countries have national interests, too, and so long as they are limited and rational, they are legitimate; 4) “Nations must be willing to compromise on all issues that are not vital to them.” If you have observed the first three rules, you will be able to see what is vital and what is not. If your adversary does the same, you can find a middle ground; 5) “Give up the shadow worthless rights for the substance of real advantage.” Don’t worry about scoring legal or propaganda points; look
to see what you are really getting in terms of national interest; 6) “Never put yourself in a position from which you cannot retreat without losing a face or cannot advance without grave risks.”

Before you enter into negotiations, always ask how they can go wrong and how you can get out gracefully. Don’t make unrealistic demands; you may have to back down on them; 7) “Never allow a weak ally to make decisions for you.” Countries’ national interests are seldom identical, and if you let a smaller ally define yours, you lose your freedom of action; 8) “The armed forces are the instrument of foreign policy, not its master.” The military mind is blunt and destructive; the diplomatic mind is “complicated and subtle.” With the military in charge, there can be no compromise; 9) The government is the leader of public opinion, not its slave.” Leaders of democracies must, of course, pay attention to public opinion, but they must also inform and educate it.

Thus diplomacy is defined as the way nations communicate with each other, feeling out their positions and defusing incidents before they get nasty. It is the putting of foreign policy into practice. A country’s diplomats are its eyes, ears, mind and mouth. They are present at almost every stage of a nation’s policy. President George W. Bush administration initially had little use for diplomacy, preferring blunt words and unilateral actions, but by the time he left office, he was engaged in considerable diplomacy. President Obama attempts to do more of diplomacy. It should be noted thus that diplomacy is the official political contact among governments and embassy is the chief diplomatic representation of one country to another. Diplomatic negotiations can be either bilateral which refers to two countries or multilateral referring to several countries. Diplomacy is usually carried out by ambassadors, special envoys, or foreign ministers. Summit diplomacy is personal contact of heads of governments.
4.1.1 Modern Embassy and Recruitment Process of Foreign Officers

Michael G. Roskin and Nicholas O. Berry (2010) explain that a modern embassy is complex. It monitors its host country’s economy, politics, public opinion, military capability and other. The US embassy typically is usually a multistory building with tight security. A marine guard behind bulletproof glass carefully scrutinizes passports. If possible, the building is situated well back from the street, away from car bombs. The more sensitive offices are on the higher floors.

On the ground floor is the consular section, which needs public access. American consuls, assisted by a staff of local employees screen applicants and issue visas to come to the United States. A tourist visa is quick and easy to get, student visa more complicated and a prized immigration visa ("green card") usually requires a long, laborious process. Americans who need help, to enquire on lost passports, emergency evacuations, lists of doctors and lawyers, registering a birth or marriage also visit consular section.

Public Affairs Section (formerly US Information Service) is also situated on the first floor, and it explains US foreign and domestic policies, arranges scholarly and cultural exchanges, sets up exhibits, overall link between the embassy and host country on all press matters, and maintains an American library (American Reference Center – ARC).

Semipublic offices might be on the second floor. The commercial and agricultural attachés provide information and contacts to help American firms sell their products abroad. The economics section which keeps tabs on the host country’s growth, interest and inflation rates, and economic policies could also be located in the second floor. The administration section (management section) which
distributes pay checks, finds housing, and runs the motor pool might also be in the second floor. Few documents on the first and second floor are classified, and most of the people working here are locals, not Americans.

On the third floor, things get more interesting and more classified. Here might be the ambassador’s office and political section. There are few or no local employees. The ambassador or deputy chief of mission (DCM) represents the United States to the host government, conveying its wishes, requests, support, or disapproval. The political section monitors parties, personalities, and policies; and if its officers do a good job, there should be no surprises such as unexpected coups, revolutions, electoral upsets or wars. The military attachés including those for the army, navy, and air force may also be on the third floor. Their work too is classified. They are considered “legal spies,” gathering information on the host country’s defenses, size and quality of army, types of weapons et cetera. They may also encourage the host country to purchase US weapons, as this earns foreign currency, spreads out research and manufacturing costs, and ties the country to the United States.

On top of the floor are usually the most sensitive and secret offices. The CIA station, whose personnel pass as State Department people, keeps tabs on underground happenings and may try to influence them. Contact with opposition groups, funding local friends, and surveillance of hostile embassies are part of their duties. When it comes to certain matters, the CIA station chief may know and be more important than the ambassador. Near the CIA office might be an electronic eavesdropping office of the National Security Agency (NSA). The NSA, which is more secret than the CIA, conducts signal intelligence (“sigint”), monitoring the radio traffic of other countries.
and cracking their codes. Also in the same top most floor is a conventional communications room that transmits the embassy’s reports to Washington, often encrypted. These electronic offices are on the top floor, not only to be close to their antennas but also to give staffers time to destroy files and cryptographic machines should the embassy be attacked.

The US embassy is usually in the capital, but other important cities may have consulates, branches of the embassy that perform some of the functions of an embassy, usually in serving visa applicants and Americans abroad. A big consulate is called a consulate general. Only a minority of the people who work in a US embassy are State Department Foreign Service Officers. The American secretaries and communications people are a separate category called Foreign Service Specialists. The attachés are from the military, commerce, agriculture, or other departments. Less than 30 percent of Americans at posts abroad work for State Department, and local employees are the majority.

Foreign Service refers to career corps of professional diplomats. The US Foreign Service, the elite of the State Department, is the closest an American can get to a title of nobility. The 6,500 Foreign Service Officers (FSOs) are carefully recruited, trained and promoted. The prerequisite of becoming an FSO is to get thorough liberal-arts education, one heavy on economics, political science, history, and English; consistent reading of periodicals for background on everything from culture to currency markets. During senior year, an individual is required to sign up to take the foreign service exam usually given across the US; and after difficult exam, the best are selected which is about 10 percent of total candidates.
The typical FSO has a master’s degree, some have doctorates. The average age of a new junior FSO is 29. After academic work, prospective FSO needs to gain relevant work experience in business, banking, journalism, or the military. The experience in developing countries shows you can live and work in the Global South where many diplomatic postings are. The final stage in FSO selection involves oral examination to test an individual’s smarts and leadership ability. The examiners are usually veteran FSOs and might ask anything from US geography to any best recent fiction read by an individual (Michael G. Roskin and Nicholas O. Berry 2010).

Williams (1993) adopts the Hedley Bull definition of diplomacy as the conduct of relations between other states and other entities in world politics by official agents and by peaceful means. Changes in technology have vastly improved the security and speed of communication between missions abroad and their governments and encouraged the growth of telegraphic traffic. As a result, governments react much more quickly to world events, and they maintain a closer and more constant dialogue with their representatives abroad, and thus with other governments. The spread of television, use of satellites and more recently, new media which entail social media activities to include Facebook, and twitter are forms of transmissions that have increased awareness of foreign policy issues through the immediacy and depth of coverage of far events. The growing public demand in the democracies for more open government and ever easier access to government information means that classic techniques of discreet and secret diplomacy have had to be adapted to cater for more public exposure and critical analysis. Diplomatic activities have to be justified more rapidly, carefully, and honestly than in the past, though more authoritarian governments of countries old and new still maintain secrecy.
Diplomacy has been well described as one of the most dangerous of professions, and the institutions of diplomacy have been said to be in urgent need for review by the international community. Commonest world institution of diplomacy is the United Nations. Nearly all international community subscribe to its membership. Founded in 1945, it is the best illustration of the expansion of international society. It had 51 members in 1945. By 1959 it had 81. By 1970 it had 127 after it was joined by many states from Africa and by 1981 it had 157 members. In 2015, the membership of UN stands at 193 member states. Meanwhile it is sometimes alleged that the 1961 Vienna Convention on Diplomatic Relations – the basic agreement which re-codified those rules – recent though it is, is nevertheless unfair to those newly independent states which had no part in its drafting, and that it is inappropriate to developing countries because it is based on Western practice and ideals.

A very wide spread of countries with different interests participated in the negotiation of the Convention which was itself based on customary law and on practice. The inviolability of envoys is intimately connected with their ability to act as effective channels of communication and can be traced back to ‘time immemorial’. It is furthermore of the essence of the rules that they are reciprocal – sending state has obligations as well as privileges and immunities, and the roles of receiving and sending states are reversed in the other country. The benefits of the Convention should apply equally to both states. Most newly independent countries appear to recognize this by subscribing to the Convention and conforming to the norms of diplomatic practice. Some forty states signed the Vienna Convention when it was opened for signature in 1961. Not surprisingly in view of the date not many were newly independent, though a good few could claim to members of the Third World.
Immunities and privileges allow ambassadors and their staffs ‘to act independently of any local pressures in negotiations, to represent a foreign state under protection from attack or harassment, to speak freely to their own governments and they are thus essential to the conduct of relations between independent sovereign states. Immunity has to be general. There can be no exception for certain sorts of offence, whether car parking or espionage, since the definition of the crime would be in hands of the receiving state and the possibility of abuse too great.

Diplomatic immunity does not, of course, mean that the diplomat can transgress the host country’s laws with impunity. He may be subject to disciplinary measures by his own service and for serious crimes he may be liable under the law of his own state. But, if he transgresses, the only penalty open to the offended state – and this is spelt out in the Vienna Convention itself – is expulsion as *persona non grata*. Further, a ‘historic commonality’ of all diplomats, irrespective of their country of origin, that they are free to engage in a continuous dialogue and negotiations not only with the host governments but also with each other; they all have an interest in access to the government to which they are accredited, and in general freedom of movement. These requirements of the profession are as important to diplomats as the inviolabilities of the persons and their embassies, and all diplomats have a common interest in maintaining them.

Manheim (1994) further explains that diplomacy according to Goldberg in his book, the Reflex, says “Diplomacy is to do and say the nastiest thing in the nicest way.” And that diplomacy is all about strategic political communication. The Italian spin doctor, Nicolo Machiavelli, in his treatise, *The Prince*, is often credited as the progenitor of strategic political communication however the phenomenon predates him given that earlier on some political events sent a clear
message to certain audiences. Thus when Richard I of England during the crusades ordered the eyes plucked from hundreds of prisoners and sent to his rival, Saladin, and when Vlad the impaler (whose deeds gave rise to the dracula legend) ordered decapitation of some ten thousands of his most loyal subjects and literal posting of their heads around the boarders of his kingdom, each was sending across the equivalent of national boundaries a message of unmistakable clarity.

Diplomacy can be characterized as addressing four distinctive aspects of diplomatic activity namely: government – to – government; diplomat – to – diplomat; people – to – people; and government – to – people contacts. The first of these refers to the traditional form of diplomacy, the exchange of formal messages between sovereign states. The second, commonly termed “personal diplomacy,” refers to the individual level interactions among those involved in diplomatic contacts. The third often referred to as “public diplomacy” is characterized by cultural exchanges such as the Fulbright program, media development initiatives, and the like; all designed to explain and defend government policies and portray a nation to foreign audiences. The last which is another form of public diplomacy, identified by W. Philips Davidson (1974) and Richard L. Merrit (1980) all quoted in Manheim (1994), includes efforts by the government of one nation to influence public or elite opinion in a second nation for the purpose of turning the foreign policy of the target nation to advantage. It is this later aspect of diplomatic activity that provides the context for the present analysis (Manheim 1994).

Simpson (1987) clarifies that diplomacy is politics, a part of that vast and intricate interplay of international activity by which national governments and international organizations seek to promote their objectives through diplomatic and other agents. Like all politics, diplomacy is both
art and science, individual and social. As the alternative to war, it is an integral component of national and international security and central to the effective exercise of power. As politics, diplomacy expresses the varied histories, cultures, political philosophies and systems, economic interests, and ethical values of the members of world community.

Diplomacy therefore means, in some respects, different things to different societies and assumes infinitely varied forms and colorations. To some, it is a process of promoting understanding, good will, cooperation and peace; to others, of promoting deception, misunderstanding, confusion, rivalry and even conflict. To some, diplomacy is means of generating and reinforcing international comity and law, while others view it as means of trashing rules and undermining accepted ethical standards, and as cover for subverting other governments.

The diplomacy of some governments thus reflects their use of politics at home as an instrumentality of deceit, repression, and domination, and accordingly becomes a means by which such governments attempt to treat other peoples and governments as they treat their own citizens. Their embassies and consular posts are converted into outposts of subversion, intimidation and espionage, inviting the periodic expulsion of their staffs in sometimes massive numbers. Now and again, terrorism and assassination are added to the repertoire of these posts. Such forms of diplomacy prove distasteful to civilized people; nonetheless, politics is politics whether some forms are likeable or not. Thus, diplomacy can be civilized and civilizing, or uncivilized and decivilizing, according to its type.
Smith Simpson distinguishes the difference between foreign policy and diplomacy since the two terminologies are intimately related due their role in international politics. He states that a government’s foreign policy consists of its objectives and the principles it seeks to advance in international affairs. Generally these are publicly stated or are inferable from public statements. Diplomacy is the means by which governments seek to achieve their objectives and gain support of their principles. It is the political process by which a government’s foreign policies are first nurtured and then guided to their destination of influencing the policies and the conduct of other governments. It thus can be defined as the process by which policies are converted from rhetoric to realities, from strategic generalities to the desired actions or inactions of other governments. Foreign policy often takes the form of an expose, while diplomacy is the quiet, generally obscure, barely audible translation of objectives and principles into results.

And in defining the nature and role of diplomacy, one must distinguish between “policy deciders” and “policymakers.” Policy deciders are those who make final decisions as to the strategic policies a government is to pursue. In the United States, this is the President. Policymakers are those participating in the decision-making process by which options are defined, presented to, and discussed with decision makers to facilitate the reaching of decisions. The maker of foreign policy, who generally include diplomats, are deciders of many matters on a lower than strategic level.

One important thing to note is that it must not be assumed that foreign policy deciders are all-knowing, all-seeing, all-powerful. Often they have to leave to diplomats the function of finding out how to make a policy work, that is, how to achieve a desired end, if indeed; it can be made to work (Simpson 1987).
4.2 Public Diplomacy and Public Affairs explored

Cull (2009, p.19-23) roundly affirms that in the small field of public diplomacy studies, it is universally acknowledged that the term “public diplomacy” was coined in 1965 by Edmund Gullion, dean of Fletcher School of Law and Diplomacy at Tufts University and a distinguished retired foreign service officer, when he established an Edward R. Murrow Center of Public Diplomacy. An early Murrow center brochure provided a convenient summary of Gullion’s concept as: “Public diplomacy … deals with the influence of public attitudes on the formation and execution of foreign policies. It encompasses dimensions of international relations beyond traditional diplomacy; the cultivation by governments of public opinion in other countries; the interaction of private groups and interests in one country with another; the reporting of foreign affairs and its impact on policy; communication between those whose job is communication, as diplomats and foreign correspondents; and the process of intercultural communications.” In other words it is referred to as attempt by governments to manage international relations and influence opinions abroad through advocacy, communication, cultural relations, and exchange programs.

However, delving into the pre-history of the word public diplomacy, searching through historical newspapers including the New York Times, Washington Post, and Christian Science Monitor; though Gullion appears to be the first to use the phrase in its modern meaning, Gullion’s coinage of the word in 1965 was not any fresh as such. The earliest use of the phrase ‘public diplomacy’ to surface is actually not American at all but in a leader piece from the London Times in January 1856. It was used merely as a synonym for civility in a piece criticizing the posturing of President Franklin Pierce. “The statesmen of America must recollect,” The Times opined, “that, if they have
to make, as they conceive, a certain impression upon us, they have also to set up example for their
own people, and there are few examples so catching as those of public diplomacy.”

The first use quoted by the *New York Times* in January 1871, in reporting a Congressional debate. Representative Samuel S. Cox (a Democrat from New York, and a former journalist) spoke in high
dudgeon against secret intrigue to annex the Republic of Dominica, noting he believed in “open,
public diplomacy.” It was a use which anticipated the major articulation of the phrase 35 years
later in the Great War. During the Great War the phrase “public diplomacy was widely used to
describe a cluster of new diplomatic practices. These practices ranged from successive German
statements on submarine warfare policy, through public declarations of terms for peace, to
Woodrow Wilson’s idealistic vision as expressed in the opening point of his “fourteen points”
speech of January 8, 1918, of an entire international system founded on “open covenants of peace,
openly arrive at.” Many writers at the time preferred the phrase “open diplomacy” for this, but
“public diplomacy” had its adherents and seems to have been given further currency by reporting
in French use of the phrase diplomatic publique.

By the 1950s the usage of the term public diplomacy noticeably shifted towards the realm of
international information and propaganda. It was not so much that the term was being used
differently but rather that diplomacy was being practiced and understood differently, and key
diplomatic events were now recognized as explicit works of public performance. In a more
positive vein, in a speech in the summer of 1958, UN Secretary General Dag Hammarskjold
declared: “the value of public diplomacy in the United Nations will depend to a decisive extent on
how far the responsible spokesmen find it possible to rise above narrow tactical approach to the
politics of international life, and to speak as men for aspirations and hopes which are those of all mankind.” As the practice of public diplomacy had come to overlap with propaganda, Gullion needed only to carry the term public diplomacy a relatively short distance to relocate it entirely in its new meaning as an alternative for propaganda. The term public diplomacy did not figure in an academic book title until 1972.

The reason that the term public diplomacy was coined in 1965 was that there was a real need for such a concept in Washington, DC. A dozen years into its life, the United States Information Agency (USIA) needed an alternative to the anodyne term information or malignant term propaganda: a fresh turn of phrase upon which it could build new and benign meanings. Gullion’s term “public diplomacy” covered every aspect of the USIA (now Office of International Information Programs - IIP) activity and a number of cultural and exchange functions jealously guarded by the Department of State. The phrase gave a respectable identity for USIA career officer, for it was one step removed from the “vulgar” realm of public relations and by its use of the term “diplomacy,” explicitly enshrined the USIA alongside the State Department as legitimate organ of American foreign relations.

In 1978, USIA was reorganized according to the logic of new terminology and at last acquired dominion over the entire range of American activity in the information field. The interdependence of the concept of public diplomacy and USIA is suggested by the fact that following the demise of the USIA in 1999, the Murrow Centre at Tufts became, and remains the Murrow Centre for International Information and Communications.
Upon merger with the Department of State in 1999, the functions of USIA were transferred to public diplomacy section within the larger Department of State. During the course of the 1990s, the term public diplomacy entered common use in foreign policy circles overseas. In Britain, for example, the Blair government established a Public Diplomacy Strategy Board. In the years following the attacks of September 11, 2001, it finally entered American public consciousness. The highly publicized appointment and teething troubles of the new Under Secretary of State for Public Diplomacy and Public Affairs, Karen Hughes on March 14, 2005 gave the final impetus to its currency within the United States, though elsewhere in the world the term could still produce blank looks (Cull 2009, p.22).

According to Dizard (2004, 4) as quoted in Cull (2009), USIA was established on August 1, 1953, less than a week after an armistice ended US involvement in Korean War. Intended as a propaganda vehicle of the US government, the USIA was responsible for telling America’s story, albeit an official one, to a foreign audience that was increasingly coming under the ideological influence of the Soviet Union with its efforts to expand international communism. The agency’s emphasis was on overseas information distribution through various media, including library materials; Voice of America broadcasting; American cultural exhibits, documentary films; and person-to-person exchange programs, most prominently the Fulbright Program.

It becomes necessary to understand the meaning of propaganda as we delve into what public diplomacy constitutes in US foreign policy. Propaganda is the methodical propagation of a particular doctrine or of allegations reflecting its views and interests. It also refers to material spread abroad by the advocates of a doctrine. Manheim (1994) explains that what was commonly
referred to as propaganda was thoroughly studied in the twentieth century including the research works of Carl Hovland, Harold Laswell, Wilbur Schramm, Morris Janowitz, and Irvis Janis. These researchers received substantial government support, especially following the outbreak of World War II. Their study gave impetus to the development of social psychology and early interest in political communication.

In the United States, propaganda was at once an accepted instrument of government – as exemplified by George Creel and the Committee on Public Information – and an object of fear to be investigated by the House Committee on Un-American Activities, depending, in large measure, on the direction of informational flow (Lee 1952) as quoted in Manheim (1994). The study of propaganda took two principal tracks, firstly, directed at the psychological mechanics of influence, and secondly at the specific techniques by which propagandists ostensibly plied their trade. The first of these tracks led scholars to a more general and largely empirical examination of attitudes and such attitude-related processes as change or inoculation against change. The second led to an interest in political public relations, advertising, and marketing which tends to be expressed in more anecdotal and general normative terms.

The term “public diplomacy” has come into vogue to characterize activities that would once have been described as propaganda. According to Gifford D. Malone (1988: 12) as quoted in Manheim (1994), the term was reportedly coined in 1965 by Edmund Gullion of the Fletcher School of Law and Diplomacy at Tufts University. It has been defined as “a government’s process of communicating with foreign publics in an attempt to bring about understanding for its nation’s ideas and ideals, its institutions and culture, as well as its national goals and current policies” (Tuch 1990) as quoted in Manheim (1994). Thus, the Voice of America (VOA) (and the broadcast
services of other countries), created in 1942 to counteract the presumed effects abroad of Nazi wartime propaganda broadcasts, now engages in public diplomacy as do the libraries maintained overseas by the former United States Information Service (USIS), the participants in the Fulbright exchange program, and other persons and agencies.

Public diplomacy is both public and diplomatic. For example, international broadcasters maintain regular schedules that are widely publicized through such means as the annual World Radio and TV hand book and encourage audience participation through special mailings, contests and many more, all of which are conducted in plain view and with full knowledge of any target government that might be interested. The messages do, in some instances, reflect overt or subtle points of view, but the technique generally eschews the sort of fear – and hatemongering of an earlier era (Abshire 1976; Deibel and Roberts 1976) as quoted in Manheim (1994). In his book, The Diplomatic persuaders, (1968) as quoted in Manheim (1994), John Lee notes that “It’s no longer possible for high-level statesmen to glide through the lofty avenues of diplomacy, trailed by first, second, and third secretaries in perfect protocol alignment. For a government, to survive, it must supplement formal government–to-government relations with an approach to the people and to meet this challenge, governments around the world have turned to a totally new concept of international diplomacy which is the age of public diplomacy. International opinion wields incredible power, and must inform the people of other nations including allies and enemies. The government that fails to do so may find itself inarticulate in the face of world opinion.”

The Congress held hearings on two different occasions to examine organization, conduct, and effectiveness of the US efforts at public diplomacy and the general conclusion has been that such
activities could productively be expanded and improved (US States House of Representatives, 1977, 1987) as quoted in Manheim (1994). The most notable government inquiry was in 1979 conducted by US General Accounting Office (GAO) on public diplomacy. And the report, United States General Accounting Office, 1979 summarized the public diplomacy activities of seven countries namely: France, Great Britain, Japan, West Germany, China, and Soviet Union, as well as the United States and assessed their implications for US foreign policy.

After noting that public diplomacy has become a major instrument of foreign policy for the United States and other nations, and describing the US effort as smaller than those of both allies and adversaries, the GAO offered six avenues for improvement including: greater cooperation with public diplomacy efforts of US allies to improve efficiency, improved financial management, expanded emphasis on the teaching of English (e.g., through VOA broadcasts), limited legalization of the domestic distribution of US Information Agency (USIA) which is currently the International Information Programs (IIP) produced materials, adequate compensation of overseas public diplomacy representatives, and a more systematic assessment of former Soviet public diplomacy in the United States (Manheim 1994).

Manheim (1994) further points out on the emphasis of ‘strategic public diplomacy’ which is the international manifestation of a relatively new style of information management. Some public diplomacy practitioners regard strategic public diplomacy as strategic political communication. And in this view, political communication encompasses the creation, distribution, control, use, processing, and effects of information as a political resource, whether by governments, organizations, groups, or individuals. Strategic political communication incorporates the use of
sophisticated knowledge of such attributes of human behaviour as attitude and preference structures, cultural tendencies, and media-use patterns as well as knowledge of such relevant organizational behaviours as how new organizations make decisions regarding news content and how congressional committees schedule and structure hearings, and to shape and target messages so as to maximize their desired impact while minimizing undesired collateral effects.

As already noted, the term public diplomacy was adopted by practitioners in the United States in the 1970s as an alternative to propaganda, which had negative connotations, and as an umbrella label for the US government’s international information, cultural relations, and broadcasting activities (Cull 2006; Roberts 2006; 1994). The term is in widespread use throughout the world. Governments, large and small are establishing public diplomacy organizations. Political leaders use it for different purposes. Europeans and others focus on public diplomacy’s uses in improving their economies, projecting identity, and achieving other policy goals.

Interests, values, identities, memories and geostrategic contexts shape how we think about public diplomacy. Public diplomacy is used by state and nonstate actors to understand, engage, and influence publics on wide range of other issues relating to governance, economic growth, democracy, the distribution of goods and services, and host of cross border threats and opportunities. Public diplomacy can be viewed as a political instrument with analytical boundaries and distinguishing characteristics.

It is a term that describes ways and means by which states, associations of states, and nonstate actors understand cultures, attitudes, and behaviour; build and manage relationships; and influence
opinions and actions to advance their interests and values. It is used by political actors to understand the consequences of policy choices, set public agendas, influence discourse in civil society, and build consent for strategies that require trade-offs among costs, risks and benefits. Public diplomacy is thus a communication instrument used in governance broadly defined. As such, it differs from education, journalism, advertising, public relations, branding and other ways in which people communicate in societies (Geoffrey Cowan and Nicholas J. Cull 2008).

Nye (2008, p.101-103) explains the current dimensions of public diplomacy. And talking of Edward R. Murrow centre at Tuft University, Edward R. Murrow is noted as an outstanding broadcaster who defined public diplomacy as interactions not only with foreign governments but primarily with nongovernmental individuals and organizations, and often presenting a variety of private views in addition to government views. Skeptics who treat the term public diplomacy as a mere euphemism for propaganda miss the point. Simple propaganda often lacks credibility and thus is counterproductive as public diplomacy. Good public diplomacy has to go beyond propaganda. Public diplomacy is not merely public relations campaigns. Conveying information and selling a positive image is part of it, but public diplomacy also involves building long-term relationships that create an enabling environment for government policies. Edward R. Murrow was director of USIA in 1963 during the President Kennedy administration.

The mix of direct government information with long-term cultural relationships varies with three dimensions of public diplomacy, but all three are important. The first and most immediate dimension is daily communications, which involves explaining the context of domestic and foreign policy decisions. After making decisions, government officials in modern democracies usually
devote a good deal of attention to what and how to tell the press. But they generally focus on the
domestic press. The foreign press has to be an important target for the first stage of public
diplomacy. The first stage must also involve preparation for dealing with crises.

A rapid response capability means that false charges or misleading information can be answered
immediately. For example, When Al Jazeera broadcast Osama bin Laden’s first videotape on
October 2001, US officials initially sought to prevent both Al Jazeera and American networks
from broadcasting further messages from bin Laden. But in the modern information age, such
action is not only as frustrating as stopping the tide, but it runs counter to the value of openness
that America wants to symbolize. A better response would be to prepare to flood Al Jazeera and
other networks with American voices to counter bin Laden’s hate speech. While Al Jazeera and
other foreign networks are hardly free of bias, they also need content.

The second current PD dimension is strategic communication, which develops a set of simple
themes much as political or advertising campaign does. The campaign plans symbolic events and
communications to reinforce central themes or to advance a particular government policy. Special
themes focus on particular policy initiatives. For example, when the Reagan administration
decided to implement NATO’s two-track decision of deploying missiles while negotiating to
remove existing Soviet intermediate-range missiles, the Soviet Union responded with concerted
campaign to influence European opinion and make the deployment impossible. The United States’
themes stressed the multilateral nature of the NATO decision, encouraged European governments
to take the lead when possible, and used nongovernmental American participants effectively to
counter Soviet arguments. Even though polls in Germany showed residual concerns about the
policy, they also showed that German public was pro-American by a two-thirds majority. The former Secretary of State George Schultz later concluded, “I don’t think we could have pulled it off if it hadn’t been for a very active program of public diplomacy. Because the Soviets were very active all through 1983… with peace movements and all kinds of efforts to dissuade our friends in Europe from deploying (Nye 2008, p. 102).”

The third dimension of public diplomacy is the development of lasting relationships with key individuals over many years through scholarships, exchanges, training, seminars, conferences, and access to media channels. Over time, about seven hundred thousand people, including two hundred heads of governments, have participated in American cultural and academic exchanges, and these exchanges helped to educate world leaders like Anwar Sadat, Helmut Schmidt, and Margaret Thatcher. Other countries have similar programs. For example, Japan has developed an interesting exchange program bringing six thousand young foreigners from forty countries each year to teach their languages in Japanese schools, with an alumni association to maintain the bonds of friendship that develop.

4.2.1 Business and its role in Public Diplomacy

Further emphasis on the meaning of public diplomacy is important as there are many definitions of the term. Reinhard (2009, p. 197-200) borrows the definition of the public diplomacy from that published by the USC Center on Public Diplomacy stating that public diplomacy refers to “all the ways a country can engage the citizens of other societies and influence their opinions for the better.” And further, effective public diplomacy “starts from the premise that dialogue, rather than a sales pitch, is central to achieving desired results and that public diplomacy must be seen as a
two-way street.” Effective public diplomacy thus based on this definition for the United States depends on: i) a compelling and credible representation of America’s values, vision, and voice to the world in ways that demonstrate respect for all people and cultures; ii) an acknowledgement that listening and dialogue lie at the heart of the public diplomacy process; and iii) the active involvement of non-governmental actors such as the media, the business community, nonprofit organizations, and individual Americans.

Business is admired around the world. Not only is business more admired and trusted, in many ways it is more relevant than national governments. The vast global reach of multinational companies through their people and their products touches millions of lives throughout the world every day. Multinational corporations are also more culturally sensitive in that people employed by these companies outside of the country of origin of the parent company are nearly all local employees of the host/partner country where the multinational branch is established. Only few expatriates are employed at the branch companies of a multinational corporation(s). US companies outside the US employ local nationals and hence such companies are totally sensitive to local cultures and social mores.

Further, business is more skilled as multinational companies are experts at building strong brands that generate goodwill, trust, and loyalty. Sadly these skills are lacking in many governments today. Big multinational companies depend heavily on foreign markets and have learned how to get along and work successfully across borders and cultures, and, indeed could offer lessons to governments. The US has been endowed with such successful multinational companies such as the McDonalds which do business in many countries around the world which has made the US
proud. Thus business qualifies for a key role in public diplomacy for other important reasons given that people who trade with each other tend not to fight with each other.

It is generally agreed that businesses are at the strategic center of any free society. They provide employment so people can realize their aspirations for themselves and for their families. In their efforts to propagate the US values, interests and ideas, US multinational companies must accept reality that they belong to the United States. Such companies should practice good world citizenship. Multinationals can build relationships of trust and respect with employees, customers, and communities around the world which simply conform to corporation’s self-interest (Reinhard 2009, p.198).

4.2.2 Public Diplomacy and Soft Power

Snow (2009, p.3) notes that Public diplomacy is inevitably linked to power. The work by Joseph Nye is well known in this respect, particularly soft power. Soft power is “based on intangible or indirect influences such as culture, values, and ideology. The term ‘soft power’ was coined by Nye in 1990. He wrote that the United States must invest in measures that lead to better ties that bind: “…the richest country in the world could afford both better education at home and the international influence that comes from effective aid and information program abroad. What is needed is increased investment in ‘soft power’ the complex machinery of interdependence, rather than in ‘hard power’ – that is, expensive new weapons systems.” Nye defines power as “the ability to influence the behaviour of others to get the outcomes one wants,” and argues that there are three
primary ways to do that: i) coerce with threat; ii) induce behavioural change with payments; or iii) attract and co-opt. The latter is soft power – getting others to appreciate you to the extent that they change their behaviour to your liking. Nye argues that the three types of power, when exercised judicially and combined with soft power, lead to smart power.

Nye (2008, p.94-96) defines power as the ability to affect others to obtain the outcomes you want. One can affect others’ behaviour in three main ways: i) threats of coercion (“sticks”), ii) inducements and payments (“carrots”), and iii) attraction that makes others want what you want. A country may obtain the outcomes it wants in world politics because other countries want to follow it, admiring its values, emulating its example, and/or aspiring to its level of prosperity and openness. In this sense, it is important to set the agenda and attract others in world politics, and not only to force them to change through the threat or use of military or economic weapons. This soft power, getting others to want the outcomes that you want, co-opts people rather than coerces them.

Soft power rests on the ability to shape the preferences of others. At the personal level, we all know the power of attraction and seduction. Political leaders have long understood the power that comes from setting the agenda determining the frame of a debate. Soft power is a staple of daily democratic politics. The ability to set preferences tends to be associated with intangible assets such as an attractive personality, culture, political values and institutions, and policies that are seen as legitimate or having moral authority. If I can get you to want to do what I want, then I do not have to force you to do what you do not want.
To emphasize further, soft power is the ability to affect others to obtain the outcomes one wants through attraction rather than coercion or payments. A country’s soft power rests on its resources of culture, values, and policies. A smart power strategy combines hard and soft power resources. Public diplomacy has a long history as a means of promoting a country’s soft power and was essential in winning the Cold War. The current struggle against transnational terrorism is a struggle to win hearts and minds, and the current overreliance on hard power alone is not the path to success. Public diplomacy is an important tool in the arsenal of smart power, but smart public diplomacy requires an understanding of the roles of credibility, self-criticism and civil society in generating the soft power.

Joseph S. Nye explains that soft power is not merely to influence and is more than persuasion or ability to move people by argument; nonetheless that is an important part of it. Soft power is also the ability to entice and attract. In behavioural terms, soft power is attractive power; and in terms of resources, soft power resources are the assets that produce such attraction. Whether a particular asset is an attractive soft power resource can be measured through polls or focus groups. The distinction between power measured in behavioural outcomes and power measured in terms of resources is important in understanding the relationship between soft power and public diplomacy.

In international politics, resources that produce soft power arise in large part from the values an organization or country expresses in its culture, in the examples it sets by its internal practices and policies, and in the way it handles its relations with others. Public diplomacy is an instrument that governments use to mobilize these resources to communicate with and attract the publics of other countries, rather than merely their governments. Public diplomacy tries to attract by drawing
attention to these potential resources through broadcasting, subsidizing cultural exports, and arranging exchanges. But if the content of a country’s culture, values, and policies are not attractive, public diplomacy that “broadcasts” them cannot produce soft power. It may just produce the opposite. Exporting Hollywood films full of nudity and violence to conservative Muslim countries may produce repulsion rather than soft power. And Voice of America broadcasts that extol the virtues of government policies that are seen by others as arrogant would be dismissed as mere propaganda and not produce soft power attraction.

Governments sometimes find it difficult to control and employ soft power, but that does not diminish its importance. A former French foreign minister once observed that Americans are powerful because they can inspire the dreams and desires of others due to their mastery of global images through film and television and because, for these same reasons, large numbers of students from other countries come to the US to finish their studies (Vedrine and Moisi 2001, 3) quoted in Nye (2008, p.96). Truly, soft power is an important reality such that those self-styled realists who deny the importance of soft power are like people who do not understand the power of seduction.

Soft power of a country rests primarily on three resources: its culture (in places where it is attractive to others), its political values (when it lives up to them at home and abroad), and its foreign policies (when they are seen as legitimate and having moral authority. Culture is the set of practices that create meaning for a society, and it has many manifestations. It is common to distinguish between high culture such as literature, art, and education, which appeals to elites; and popular culture, which focuses on mass entertainment. It is noted that after France was defeated in the Franco-Prussian War, its government sought to repair the nation’s shattered image prestige
by promoting its language and literature through the Alliance Francaise created in 1883. The projection of French culture abroad thus became a significant component of French diplomacy (Pells 1997, 31) as quoted in Nye (2008, p.96). Italy, Germany and others soon followed suit.

During World War I, many countries established office to office to propagandize their cause, all in the spirit of soft power. During the early years before American entry into the war, Britain and Germany competed to create favourable images in American public opinion. Apparently the US was a relative latecomer to the idea of using information and culture for the purposes of diplomacy. In 1917, President Woodrow Wilson established a committee on Public Information directed by his friend, the newspaper-man, George Creel.

However, another level of power, smart power, has also become necessary in an effort by an actor to ensure foreign policies of a nation are entrenched in the international arena. Wilson III (2008, p.110-120) explains that in international politics, having “power” is having the ability to influence another to act in ways in which that entity would not have acted otherwise. Hard power is the capacity to coerce them to do so. Hard power strategies focus on military intervention, coercive diplomacy, and economic sanctions to enforce national interests (Art 1996; Campbell and O’Hanlon 2006; Cooper 2004; Wagner 2005) as quoted in Wilson (2008). It is the neorealist approaches that tend to emphasize hard power, especially the hard power of states, while liberal institutionalist scholars emphasize soft power as an essential resource of statecraft.

Ernest J. Wilson III continues to explain that Smart power is the capacity of an actor to combine elements of hard power and soft power in ways that are mutually reinforcing such that the actor’s
purposes are advanced effectively and efficiently. Additional core considerations which are policy relevant on which smart power is built include: target, self-knowledge, and broader regional and global context of operations. The target over which one seeks to exercise power: its internal nature and its broader global context. Power cannot be smart if those who wield it are ignorant of the attributes of the target populations and regions. Smart power requires the wielder to know what his or her country or community seeks, as well as its will and capacity to achieve goals. The broader regional and global context within which the action will be conducted should be well known to the wielder of power.

The tools to be employed, as well as how when to deploy them individually in combination is crucial to wielder of power. The tools factor is important and thus the appropriate one under what circumstances is required; further a firm familiarity of the full repertoire or inventory of the instruments of statecraft. Smart power means knowing strengths and limitations of each instrument; what can armies be expected to achieve? What can targeted broadcasts do? What can exchange programs achieve? And moreover, one needs the capacity to recognize when to use on kind of power rather than to achieve national purposes, depending on the context. This demands wisdom to know how to combine the elements of coercive power with the power to persuade and to inspire emulations.

4.2.3 Distinction between Public Diplomacy and Public Affairs

Ken S. Heller and Liza M. Persson (2009, p 225-231) detail the distinction between the Public Diplomacy (PD) and Public Affairs (PA). They explain that strategic communication entails synchronizing PA and PD in an attempt to unify words and messages. It is both necessary and
interesting to compare PA and PD. Their individual commitments of enabling the right of a people of democratic nation to be kept informed about the actions and motives of their governments, for PA; and the manipulation of the perception of people around the world to facilitate the “interests” of a nation, for PD; would be significant.

PA agencies’ and operations’ core commitment is to fulfill both pragmatic and democratic need for accurate and timely information. In a democratically governed nation, the public, its political representatives and military community service members have a right to be kept informed about how the resources they make available are used. PA’s core purpose is that of informing, and the intended audience is the domestic population. PD’s core commitment is to shape the global mental environment in such a way as to shape the opinions, actions and perception of people of other nations to be more in line with US national interests, such as defined by the administration at any given time. The core purpose of PD is that of influencing and the intended audience is the public and leaders of foreign nations.

In 1997, The Planning Group for Integration of the United States Information Agency (USIA) into the Department of State used the following definitions (until the merging, USIA was the agency that practiced PD for the Department of State): PD seeks “to promote the national interest of the United States through understanding, informing and the influencing of foreign audiences. Public Affairs is the provision of information to the public, press and other institutions concerning goals, policies and activities of the United States Government. Public Affairs seeks to foster understanding of these goals through dialogue with individual citizens and other groups and institutions (through its Community Relations programs), and the domestic and international
media. However, the thrust of public affairs is to inform the domestic audience. Further PA is responsible for developing working relationships with reporters and other national and international media representatives to include bloggers who lie in the gray area between being journalists and citizens.

Both PA and PD make use of the variety of information technologies available today. Film, television, radio (such as Voice of America and Radio Free Europe), the World Wide Web and video games are important vessels for advancing national image abroad. New teams such as the State Department’s “Digital Outreach Team” or the Department of Defense’s “New Media Operations” are exploiting these avenues of approach including the YouTube and MySpace websites as well as the blogosphere which the United States Central Command (USCENTCOM) Public Affairs Office has actively engaged in order to reach new publics. PD advocates and practitioners see activities such as sports, cultural events and exchange programs as important avenues for otherwise diverse citizens to understand and interact with each other, and integral to international cultural understanding, which is stated as key goal of modern PD. These efforts involve not only communicating the message(s) that a country wishes to present abroad, but also analyzing and understanding the perceptions of the nation and ways that the message is interpreted by diverse societies. Note that public diplomacy includes additional kinds of interaction with foreign public such as arranging student exchange programs, hosting seminars and meeting with foreign business and academic leaders.

Indirect PD includes the activities of citizens internationally, to include the everyday consumption of cultural activities and products such as films, tourism, theater and Internet discussion. It is
important to learn that the Smith-Mundt Act of 1948 formed the basic charter for PD after World War II and established the USIA (currently The Office of International Information Programs – IIP). The foreign relations Act of 1972 amended the Smith-Mundt Act to ban the dissemination of any “information about the US, its people and its policies” prepared for distribution overseas within the United States. The Zorinsky Amendment further restricted PD by prohibiting any funding of material used “to influence public opinion in the (United States), and no program material ….. shall be distributed within the (United States).”

In short, PD is not to target any part of or member of the US public. For example, today the English-language website of The office of International Information Programs (IIP) (formerly USIA) still differs from their French and Spanish sites, primarily in that the non-English language sites contain links to articles on human rights (specifically centered on Cuba and Peru), drugs, and corruption, as well as reports on democracy and the AIDS epidemic, none of which appear on English site. Of particular note is that French and Spanish sites are linked to the Voice of America, which by law cannot be broadcast into the United States. Advanced technology has however changed communication system drastically. A point of contention derives from the difficulty of sending one message to international audiences and another to a domestic media in an information environment without territorial borders. For, due to the Internet and other communication technologies, it is almost impossible for governments to regulate the flow of information across their borders with the precision of targeting specific group abroad. The information dimension has become a battle field in a war that knows no boundaries.
In 1999, US President Bill Clinton established the position of Undersecretary of Public Diplomacy and Public Affairs within the State Department to “help ensure that the communication efforts of Public Diplomacy are practiced in combination with those of public affairs and traditional diplomacy to advance US interests and security.” It is agreed that optimally PA tells the whole truth, to all the people at all times. Truth is a requirement. National interests are defined by military and political leaders who then set restrictions that “chip away” from the “what, to whom, how, and when.” Public Affairs is not, in itself, strategic in the classical sense of the word. PD, on the other, has national interests as its raison d’être. They shape the activities of PD, not what restricts them. Public Diplomacy is strategic in itself.

4.3 Public Diplomacy Illustrated: HIV/AIDS prevention factor in Kenya

In the spirit of international relations, which simply refers to the study of relationships of nation-states globally, a need then arises for all nations to relate for the better. Reynolds (1994) defines international relations as being concerned with the study of the nature, conduct of, and influences upon, relations among individuals or groups operating in a particular arena within a framework of anarchy, and with the nature of, and the change of factors affecting, the interactions among them.

The underlying aim of public diplomacy is to influence institutions of foreign countries. The core purpose of PD is that of influencing and the intended audience is the public and leaders of foreign nations. It has been defined as “a government’s process of communicating with foreign publics in an attempt to bring about understanding for its nations ideas and ideals, its institutions and culture, as well as its national goals and current policies” (Such 1990) as quoted in Manheim. The United
States’ public diplomacy initiative is to ensure that foreign nations view the United States government positively. Forms of public diplomacy vary from one activity to another.

Manheim (1994) explores the dynamics of one of the most frequent occasions of public diplomatic exchange, the visit to the United States of a foreign head of state or government. He explains that the visits by heads of state or government to any country constitute one of the principal classes of events around which public diplomacy is often organized. Visits to the United States by foreign leaders come in several varieties, including “official” and “state” visits with full accompaniment; “official working” visits, characterized by lesser amounts of ceremony but potentially equivalent to working contact with US officials including president; and “private” visits, where the visitor may be in the United States to shop, to visit with children in college, seek medical treatment, or for any of a variety of other reasons. In these private visits, the visiting dignitary may pay courtesy call on president, but the trip is otherwise outside the purview of the State Department and White House. Trips by foreign leaders to address the United Nations are treated (by the United States) for diplomatic purposes as private visits. All of these types of visits can provide a locus for media events and other forms of image making; and are usually meant to influence the foreign publics and furtherance of mutual bilateral relations between nations-states.

In the same vein, whenever US official(s) and above all POTUS visits any nation, such kind of visit is regarded as high level public diplomacy event. During such visits, US foreign policies are entrenched further by some bilateral agreements. Thus the visit of President Barrack Obama in Africa three times during his tenure as POTUS promoted US interests and relations between the continent and the US greatly. President Obama visited Kenya on May 24-26, 2015 under the aegis
of attending the Global Entrepreneurship Summit (GES). It was the best presidential cum business moment public diplomacy exchange event Kenya ever had. It was the first time GES was hosted in Sub-Saharan Africa; and the first time a sitting POTUS ever visited Kenya.

Successful public diplomacy initiatives usually require sound financial management. After noting that public diplomacy has become a major instrument of foreign policy for the United States and other nations, and describing the US effort as smaller than those of both allies and adversaries, the GAO offered six avenues as noted earlier including improved financial management. Thus in order to fund activities aimed at influencing foreign public institutions to the advantage of the United State; there is need to ensure availability of good financial aid in the form of a grant.

The support the United State has provided in the form of campaigns against the spread of HIV/AIDS in Kenya is unwavering. And so long as sound financial management is maintained, the United States factor in the health sector in Kenya will continue to be felt greatly. And from the foregoing life line instances of how PEPFAR has played a leading role in the prevention and cure of pandemic disease, this is sure adequate public diplomacy initiative that remains spectacularly core most significant health assistance in the minds of Kenyan publics.

Kenya has been in the forefront together with other nations in the prevention campaign against the spread of HIV/AIDS. The devastating disease has had adverse effect on the macroeconomics of the sub-Saharan nations. The production cycle starting with human resources up to the end product depends on a healthy nation. A sick nation with most active people dying is bound to suffer economic growth. And as the research has identified, the affected group by HIV/AIDS are in the
ages of 15-50 years, an active period of any human being to participate in the production activities of a nation’s economy.

The Government of Kenya (GOK) formerly established a department in the Ministry of Health, National AIDS Control Council (NACC) to be responsible for the control and prevention of HIV/AIDS in the country. However, Kenya has been endowed by very many vibrant non-governmental organizations funded by developed economies to carry out the campaign against the spread of the disease.

GOK has developed strategic plans for the HIV response since 2000, which laid out specific results and strategies for delivering HIV prevention and treatment services country wide (Kenyan AIDS Strategic Framework 2014/15-2018/2019). However, for the period 2015-2019, there has been a shift to the development of strategic framework precipitated by the advent of devolved governance system of government in which health services have been devolved. The Kenya AIDS Strategic Framework (KASF) has been developed to guide the delivery of HIV services for the period 2015-2019. This framework succeeds the Kenya National AIDS Strategic Plan (KNASP III 2009-2014). The KASF defines the results to be achieved in the next five years and offers broad strategic guidance to counties on the co-ordination and implementation of the HIV response. The county governments will use the framework to develop HIV plans relevant to the local HIV/AIDS epidemic (KASF2014).

USAID and PEPFAR have actively funded GOK health programs directly as well as NGOs in their efforts to prevent the spread of the HIV/AIDS, and the clinical treatment of infected
population. Other organizations involved in the fight against the spreading of HIV/AIDS include National AIDS and STI Control Programme (NASCOP), and Kenya AIDS NGOs Consortium (KANCO). KANCO is a network of NGOS, community based organizations (CBOs), family based organizations (FBOs), private sector actors, and research and learning institutions concerned with HIV/AIDS and TB activities in Kenya (KANCO 2010-2014). KANCO was formed in 1990 and its resource centre established in 1994 with the USAID funding through Family Health Initiative (FHI). The resource centre forms a significant source of information to member organizations of KANCO and the public in general, (KANCO 2010-2014). NASCOP is a government arm that implements all HIV/AIDS campaign programmes.

4.3.1 Evolution and response to HIV/AIDS in Kenya

It is a notable fact that not only the GOK is involved in the campaign against the spreading of HIV/AIDS in Kenya but NGOs alike are championing the campaign. Most of the foreign funding towards the prevention of HIV/AIDS is channeled through government owned organizations and NGOs. Thus the information on HIV/AIDS prevalence in Kenya is available at government and NGOs records or resource centres.

The first case of HIV in Kenya was reported in 1984 and since then the disease has remained nearly a permanent health problem (KANCO 2014). The National AIDS Control Council-Kenya AIDS Strategic Framework (2014/15-2018/19) notes that the epidemic is deeply rooted among the general population in some regions of the country while there is also concentration of very high prevalence among key populations. In 1995-1996, HIV prevalence in general population reached a peak of 10.5% however it declined by about 40% to reach approximately 6.7% in 2003. The
epidemic has remained relatively stable as prevalence indications range from 6.7% in 2003 to 5.6% in 2012. The prevalence stabilized due to the scale up of HIV/AIDS treatment and care. Most important would be how to reduce infections while increasing the level of treatment and care. The KASF observes that women are affected out of proportion than men hence they are more vulnerable.

KASF (2014) observes that the reduction of new HIV infection among adults has stabilized at approximately 90,000 annually and is driven by multiple partnerships among heterosexual relations. The response to the HIV/AIDS in Kenya has been so vigorous and high level. This is due to concerted efforts of NGOs and government run bodies that have brought to fore the very latest details of HIV/AIDS infection and treatment in the country. The National AIDS and STI control programme: Adolescents, Youth, and HIV in Kenya is involved in a serious control measures to reduce the intensity of HIV/AIDS in the country.

The National AIDS and STI control programme fact sheet dubbed, Adolescents, Youth, and HIV 2014 in Kenya is an authoritative document that informs the decision makers and guide to the next action on prevention, treatment and care interventions amongst adolescents and youth. This fact sheet document relies on the real data from the source, Ministry of Health (MOH) HIV estimates in 2012 and Kenya AIDS control indicator. The target age group is between 10 – 24 years whose data have been grouped categorically detailing the level of national HIV prevalence in male and female. Other factual data on this target group include the level of HIV testing, living with HIV, need for antiretroviral therapy, new infections, sexual debut, condom use, and AIDS related deaths (www.nascop.or.ke 2014).
National AIDS and STI Control Programme (NASCOP) newsletter on key populations (Key Populations Newsletter) details research and prevention on the spread of HIV/AIDS network among key populations on whose activities are cause for the spreading of the AIDS. The groups are categorized as: Female Sex Workers (FSW), Men who have sex with Men (MSM), Men who sell sex to other men (Male Sex Workers or MSW), Injecting Drug Users (IDU), and People who use Drugs (PWUD)/People who Inject Drugs (PWID). NASCOP’s preventive programs involve implementing activities such as needle and syringe program to restore PWUD and PWID whose population total 18,327 countrywide.

The FSW and MSM programs also include the establishment of learning site in Mombasa, free distribution of condoms and lubricants, and intensive media advocacy for the key population. A lesbian, gay, bisexual, transgender and intersex (LGBTI) organization, Ishtar was formed in 1997 and officially registered in 2002 with the Ministry of Social Services marked the entry of point to lives of men who have sex with men (MSM) in Nairobi and opening an atmosphere of trust and openness among this key population. NASCOP notes that key population has been criminalized thus have made access to health services for these people difficult as a result stigma and discrimination is rife amongst this population. This should not be the case as the constitution grantees access to the highest attainable standard of health for all. The Ministry of Health therefore has a constitutional obligation to provide health services to all without discrimination.

Joint United Nations Programme on HIV and AIDS (UNAIDS) and organizations working in Kenya to address HIV and AIDS in women, state that prevention of HIV/AIDS is a global menace.
that require thorough and specific attention of some key population. In sub-Saharan Africa, females constitute the highest number of people living with HIV which account for nearly 57%. It has been observed that the original prevention strategy of ABC – Abstinence until marriage, Be faithful to your spouse or partner, and correct and consistent use of Condom have been considerably useful. However, women simply are not in a position to abstain from sex, rely on faithfulness, or decide when to use condom. It is important to integrate ABC measure as part of global wide package for prevention of HIV. This would succeed more through the advocacy of empowerment of women and promote women and girls’ rights. Kenya is endowed with a good constitution that allows formation of NGOs involved in various activities for the good of human life. Kenya has got many NGOs fighting for gender equality, enhancement of human rights and fighting against the spreading of HIV/AIDS on women and girls (UNAIDS 2006).

4.3.2 PEPFAR role in the campaign against the spreading of HIV/AIDS in Kenya

Kenya, like other world nations in developing world, is a recipient of PEPFAR program on health assistance to prevent the spreading of HIV/AIDS. PEPFAR works in collaboration with the host country government to ensure successful implementation of HIV/AIDS prevention policy. PEPFAR likewise funds registered NGOs and private media outlets to provide information to the Kenyan populace on the importance of a healthy nation and unwavering fight against AIDS. PEPFAR fact sheets on the assistance to Government of Kenya are always published in local dailies indicating strong bilateral relations between the US and Kenya. Further, details of such funding are also published in NGOs and CBOs pamphlets explaining the intensity of campaign against the spreading of HIV/AIDS.
PEPFAR program is a good example of interventionist initiative as well as a public diplomacy activity that portrays the US government positively to the Kenyan peoples. The program works positively with the health ministry to help alleviate the pathetic health condition in Kenya, to prevent the spreading of AIDS pandemic. The United States Global AIDS Coordinator (USGAC) runs a comprehensive program of HIV prevention, care and treatment supported by the American people. PEPFAR program implementation process gets support from Kenyan and American technical staff of the US Centers for Disease Control and Prevention (CDC), the Department of Defence (DOD) – US Army Medical Research Unit or the Walter Reed Project (USAMRU/WRP), the US Agency for International Development (USAID), and the Peace Corps agency (PC). These men and women work with hundreds of local and international partners across Kenya to prevent new infections, treat and care for already affected individuals.

PEPFAR program operates under the Partnership Framework (PF) between the Governments of the Republic of Kenya and of the United States of America. Such PFs run for five years given their kind, and the Strategic Plans. However, it should be noted that HIV/AIDS was health crisis in developing world and thus the US had to intervene to provide necessary assistance to prevent the widespread of the pandemic disease and the resultant death cases. Public diplomacy automatically becomes part of the process as the program involves government institutions as well as local organizations (NGOs, CBOs, societies) that receive grant towards the prevention and cure of HIV/AIDS victims.

PEPFAR worked under Kenya National AIDS Strategic Plan (KNASP III), 2009/10 – 2012/13 to achieve goals laid therein and which were in tandem with the Kenya Vision 2030 related to HIV
The PF for 2015-2019 was inaugurated in 2014. It was dubbed, The Kenya AIDS Strategic Framework (KASF) developed to guide the delivery of HIV services for the period 2015-2019. This framework succeeds the Kenya AIDS Strategic Plan 2009-2014. The KASF defines the results to be achieved in the next five years and offers broad strategic guidance to county governments on the co-ordination and implementation of the HIV response (KASF 2014).

PEPFAR programs have always focused on prevention, care and treatment of infected and non-affected individuals. In 2006, USGAC approved a budget of (US Dollar - $) $208 million, equivalent to Ksh15 billion. However, even before 2006, USGAC had approved substantial amount for AIDS prevention, care and treatment.

4.3.2.1 Prevention Aspect

The PEPFAR program in this area include activities such as: prevention of mother to child transmission (PMTCT), voluntary medical male circumcision (VMMC) services, reduction of infection by improving blood and injection practices, reduction of sexual transmission by encouraging abstinence, faithfulness, correct and consistent use of condoms.

The activities in the prevention processes are very technical and involving. The PEPFAR program offers clinical or technical interventions to prevent mother to child transmission by providing technical support at local clinics especially for pregnant women who attend antenatal services. At this point the pregnant mothers would be diagnosed of HIV/AIDS infection and informed of their status. The pregnant women are then put on medication to reduce the mother to child transmission. The newborns are immediately treated to rid them off infection.
Blood transfusion, unsafe use of syringes and the effect of accidental exposure in a medical setting is a potential cause of AIDS infection. The PEPFAR program works tirelessly towards ensuring safe blood and blood products are used at local hospitals at the point of transfusion, use of one syringe per patient at any time and teaming up with such international organization as Red Cross to campaign for blood donation. The blood donation aspect has been given serious attention by PEPFAR given the background of the US Embassy bombing in August 7, 1998 in which a lot of blood was required to save lives for Americans and Kenyans. At this tragedy, 220 lives were lost of both Kenyans and Americans.

Further the PEPFAR develops comprehensive campaigns to prevent transmission of HIV through unsafe sexual practices as well intravenous drug use (IDU - sharing of needles). The campaigns include sponsorship of events that create awareness and emphasis on practice of Abstinence until marriage, Being faithful to a spouse or partner, and correct and consistent use of Condoms in coitus (ABC). The Trust brand of condoms has been promoted aggressively in various outlets including media to target individuals who could engage in dangerous coitus. Some of the groups used as outlets or organizations in this kind of campaigns include ‘NimeChill Media Campaign’, community drama groups, the Kenya Girl Guides Association (KGGA) and the Baptist AIDS Relief Association.

Other NGOs, CBOs, private sector, projects and government affiliated organizations supported by PEPFAR include: I Choose Life; a CDC project, Africa Medical and Research Foundation (AMREF - http://amref.org/about-us/where-we-are/kenya/); a DOD project, Living with Hope
Center (LWHC); and USAID project, AMPATH Plus (Academic Model for the Prevention and Treatment of HIV).

KGGA is the sister to Kenya Boys Scout Movement started way back before independence in 1963. KGGA is the oldest and largest youth organization in Kenya with over 130,000 members. As an outlet for prevention against the spreading of HIV, it managed PEPFAR funds to highlight and educate peer group to observe the prevention flag, ABC, as well as informing the age-group about their sexual abilities and need for self-control.

I choose life (ICL - http://ichooselife.or.ke/) group works closely with PEPFAR in the prevention campaign against HIV/AIDS infection. Its activities began in 2001 by engaging in peer education programs to reach out to university students. The activities involve counseling and encouragement of its membership and recipients to undergo testing to ascertain their HIV/AIDS status.

NimeChill Media Campaign and Chill Clubs (NCMCCC - http://www.pskeny.org/index.php?id=22) organization is a recipient of PEPFAR program and has actively participated in the prevention against the spreading of HIV/AIDS. NimeChill is a combined Kiswahili and English words meaning I’m Chilling or I’m waiting. The organization was involved in a vigorous mass media campaign aired from 2004 to 2005. This was followed by funding of Population Services International (PSI), an NGO to implement the Chill Clubs functions that could target primary school pupils. The program was designed to impart basic reproductive health and HIV education and to improve confidence and self-esteem among pre-teens. This program also addressed peer pressure, unhealthy gender norms, and sexual violence.
The core message in every prevention program is the teaching about the importance of abstinence, faithfulness, use of condoms, resisting peer pressure and life skills including being assertive and adherence to social values.

4.3.2.2 Treatment Aspect

The World Health Organization recommended the use of antiretroviral drugs (ARV) and Kenya has since implemented this process, namely antiretroviral therapy (ART). With the advent of PEPFAR program, Kenya has experienced a steady increase in the number of patients initiated on treatment. Every organization PEPFAR funds does not only involve in prevention campaign, but encouragement of infected individuals to seek medical attention.

4.3.2.3 Care and Support Aspect

PEPFAR program supports care of HIV/AIDS victims at local government hospitals, NGOs and CBOs supported nursing, survival and recuperation homes. Care and support usually target people living with HIV/AIDS (PLWHA). One of the outstanding PEPFAR supported projects that has overseen care and support activities is the Department of Defence (DOD) project dubbed Living With Hope Center (LWHC - http://www.globalhealthhub.org/2011/09/13/visit-to-live-with-hope-center-in-kericho-kenya/). This organization is located in Motobo, a slum area in Kericho town, and offers programs that include voluntary counseling and testing (VCT), youth prevention, home based care and palliative care (HBCPC), orphans and vulnerable children care (OVC), and other periphery support groups involved in life sustenance and continuity. ARVs, at the initial stages, were very expensive and could not be afforded by ordinary population. PEPFAR program became instrumental by funding organizations through which ARVs could be bought in bulk and given to
infected individuals. AMPATH Plus (http://www.ampathkenya.org/our-programs) organization in Kisumu and parts of Rift Valley, UasinGishu County is known for having done splendid job in care and support to People Living with HIV (PLWHI).

The foregoing illustrations of how PEPFAR has been instrumental in the fight against the prevention, and cure of HIV/AIDS victims emphasizes the extent at which a nation can be influenced and informed about by foreign policies of another country. With PEPFAR program running, there is a sigh of relief in Kenya’s health sector. This is true to the spirit of interventionist policy of the US government towards Kenya and a clear illustration of public diplomacy element of foreign policy of influencing foreign institutions and/or foreign publics in a diplomatic way to recognize the US world leadership.

The Individuals that have received assistance from such programs will ever remain appreciative of the US government. This is typical of foreign public (s) who has been assisted at a time of serious need who has no option but to praise US government. The Ministry of Health whose budget cannot afford to manage health sector fully, is an institution that would register sincere appreciation to the US government (USG) for continued support to ensure Kenyan citizens are healthy and productive. This is a clear manifestation and a clean score on the purpose of public diplomacy, which is to influence the foreign publics, institutions to the advantage of the United States.
Chapter Five

Conclusion

In studying US foreign and defense policy, the President is the most important actor and the Executive is the most important branch of government in the policy-making process. The Constitution creates the President’s central role. The authorization and appropriation of aid forms a significant role of Congress as it has the power to authorize and appropriate all military and economic aid requested by the Executive. The race factor as epitomized in the Congressional Black Caucus, is important in the legislation of US foreign policy towards Africa.

US foreign policy towards Africa is multi-faceted in that in the 19th Century, the quiet policy towards Africa was that of non-alignment and with no direct engagement. During this period, Africa experienced the partitioning and colonization by European powers, a phenomenon that the US had to condemn much later by invoking the idealist policy, thereby supporting self-determination movements in Africa. In the late 1950s and early 1960s, most of African nations attained their independence and self-government rule.

After World War II ended in 1945, US policy towards Africa took a new turn. The United States emerged as the most dominant power in the world. The Cold War conflict between the Soviet-led Eastern bloc and American-led Western bloc was inevitable, according to the Marxist view, as capitalist states would use all means necessary to protect against the threat posed by communism. The confrontation between the East and West brought Africa into global affairs not as contributor of ideas, but as theatre of competition where superpowers competed to implement their economic
and political ideologies; and principally to block Soviet influence into Africa. During this period, any African nation that was not aligned to the US and its associated capitalist ideology was declared a communist. Any rational individual in Africa who could voice economic and political realities or criticize the local government for its totalitarian behaviour, but that government was supporting US ideology, that individual was automatically declared communist. Being a communist would imply that a nation or individual was unpatriotic, anti-development, enemy combatant and possessed far-reaching ill motives such as those of a guerrilla or a terrorist. The US sacrificed the foreign policy on promotion of democracy and human rights in Africa in order to block the spread of communism in Africa. Authoritarian, corrupt and dictatorial governments in Africa were espoused by the US as long as such governments were aligned to the US in order to forestall the propagation of communist ideas.

The fight against Soviet-communism collapsed between 1989 and 1991 and the Soviet Union ceased to exist on December 31, 1991. President George H. W. Bush characterized this moment as one of the most important developments of the 20th century, being the revolutionary transformation of totalitarian dictatorship and liberation of people from smothering embrace. From 1989 to 1991, President Bush and principal policy advisers spoke optimistically about the creation of a new world order. They believed that the United States would work with partners directly and within the framework of the United Nations to promote international harmony. African nations and other nations that were not directly involved in the ideological confrontation of the Western and Eastern blocs assumed the third world position globally. The nations, Western-bloc being led by the US and Eastern-bloc led by the Soviet Union that were directly involved in the ideological confrontation became 1st and 2nd worlds respectively. The level of industrial
development in addition to other factors including civilized political and economic system, currently determines the category of a nation whether it would be a 1st, 2nd, 3rd or 4th world country.

The fact that Africa fell under the Third World category and the many crises that the continent has faced, is a fact that has always made any US foreign policy toward Africa regarded as interventionist on one hand, and on the other hand, as partnership. Partnership is mutual, cordial and non-coercive policy meant to benefit any two nations bilaterally or many nations multilaterally; as nations strive to survive in the anarchic international arena.

Intervention in a broad sense is a calculated use of political, economic, and military instruments by one country to influence the domestic or foreign policy of another country. Alongside intervention activity is the public diplomacy and public affairs. Public diplomacy is the influencing of institutions and publics of foreign nations to the advantage of any world nation in the international arena; while public affairs refers to provision of accurate, accountable, and responsible information to the foreign publics via media including press. Though principally, public affairs activity is meant for a nation’s domestic consumption of accurate information from its government and other avenues of information.

Public diplomacy deviates from traditional diplomacy of just quiet government-to-government interaction to diplomacy that involves the public, non-governmental organizations and government institutions when implementing foreign policy in a host country. This is the diplomacy that ensures face-to-face or people-to-people as well as government to people interaction in a host country.
The element of public diplomacy and public affairs becomes integral in nearly any activity of US foreign policy, as the world’s sole superpower strives to influence the institutions or publics of foreign nations to regard the US as the only force to reckon with globally. Besides public affairs, outreach activities enable the superpower to stay up to date with grassroots information of foreign nations around the world. Thus public diplomacy and public affairs synchronized, entails strategic political communication.

United States AGOA is a multilateral trade policy that has advocated preferential trade between African nations and the United States. African nations had to meet eligibility conditions before enjoying the benefits of AGOA that included: establishment of market-based economies; development of political pluralism and the rule of law; elimination of barriers to US trade and investment; protection of intellectual property; efforts to combat corruption; policies to reduce poverty; increase availability of health care and educational opportunities; protection of human rights and worker rights and; elimination of certain practices of child labour. This foreign policy on trade partnership has increased the sale of African products to the US duty-free.

Because of AGOA eligibility conditions, some literature have implied that AGOA is a propaganda tool meant to exploit African resources based on some specific eligibility conditions such as establishment of market-based economies; elimination of barriers to US trade and investment; and protection of intellectual property. These conditions give leeway for the US to conduct any trade and investment in Africa. African governments thus have to espouse any US investment and trading activities in order to enjoy AGOA benefits. Nevertheless many African countries have benefited from this policy in whichever area of trade or investment they have conducted with the
US. On the other hand, in view of world system theory, the purpose of the core countries is to ensure developing countries remain in the economic peripheral regions and thus AGOA policy would only encourage duty-free export of goods from Africa as long as they are wallowing in their peripheral status.

Kenyan textile industry has recorded high level apparel products for export to the United States. The Kenya Export Processing Zones (EPZ) is an established sector specializing in the production of high quality fabric for export only. Foreign factories have been established in Kenya, at EPZ due to good infrastructure. Some foreign countries including France through their diplomatic posts have conducted trade tour at EPZ headquarters to learn about the successes of EPZ industries.

Typical of the anarchic nature of the international arena, the US is extra concerned about the security of its people. Thus the US is extra vigilant to the nations that can pose security threat to the US homeland and interests around the world. In addition, the United States continues to ensure that international economic system remains capitalistic with free markets. The US pays more attention to Western-bloc countries it led during the Cold War period as well as Eastern Bloc countries that posed danger to the western political and economic ideologies. Apart from being a net market for goods and services from industrialized countries, with top cream industrialized countries being referred to as the Group of Seven countries (G7), Africa does not pose any direct military or economic threat to the US.

Thus save for partnership policies, which as the sole superpower, the US must maintain with the rest of world nations, foreign policies toward Africa in most cases are regarded as situational.
Hence the tendency has been for the US President to delegate day-to-day responsibility for overseeing US-Africa relations, in the absence of any crisis, to national security bureaucracies which primarily focus on the politico-military aspect of foreign policy relationship.

The HIV and AIDS pandemic has been a health crisis that the US had to intervene by providing financial aid towards the prevention and the spread of pandemic disease in Africa. United States PEPFAR policy initiative launched in 2003 by President George W. Bush serves as a breakthrough in the control, prevention and cure of the HIV and AIDS. Kenya is one nation in Africa that has benefitted from the US aid to cure infected persons and to prevent the spread of the pandemic disease. The Government of Kenya (GOK) formerly established a department in the Ministry of Health, National AIDS Control Council (NACC) to be responsible for the control and prevention of HIV/AIDS in the country. In addition to direct major assistance from the US to GOK on health matters, Kenya has been endowed by very many vibrant non-governmental organizations funded by the US and other developed economies to carry out the campaign against the spread of the pandemic disease.

The Kenya AIDS Strategic Framework 2014/15-2018/2019 has developed strategic plans for the HIV/AIDS response since 2000. The framework laid out specific results and strategies for delivering HIV/AIDS prevention and treatment services country wide. Kenya’s Ministry of Health and non-governmental organizations have received tremendous help from the US through its local diplomatic post agencies including PEPFAR office and USAID.

Government of Kenya might have financial back up for health sector, however, the level at which Kenya has received aid assistance towards cure and prevention of HIV and AIDS from the US, is
so huge such that any diplomatic row leading to cancellation of HIV/AIDS assistance can cause a wreaking havoc in the Kenya’s health sector. This could lead to high death rate and weak economy given that sick and weak population cannot be very steady in the production of goods and services.

There is no doubt that Kenya’s health sector and related domestic health policies have been greatly influenced by the interventionist policy. In addition, the element of public diplomacy and public affairs has been strongly felt in this sector. Public diplomacy activities aim at influencing the institutions and publics of foreign countries purposely to have such countries regard the US as the sole superpower. The individuals, who have received PEPFAR assistance and their health status improved tremendously from the pandemic disease, are living testimony to the good interventionist foreign policy of the United States. These individuals are from all walks life and participate in the economic development of the Kenyan nation. The budget for Kenya’s Ministry of Health always factor in the health aid from the US government for the budget to balance. This confirms the influence the interventionist policy vis-a-vis public diplomacy has created in Kenya’s Ministry of Health. HIV/AIDS is still a health crisis in African countries, Kenya included.
APPENDIX

Origins of Congress and its powers

The Virginia resolutions proposed that the National Legislature be empowered:

“to enjoy the Legislative Rights vested in Congress by Confederation and moreover to legislate in all cases to which the separate States are incompetent, or in which the harmony of the United States may be interrupted by the exercise of individual legislation;

“to negate all laws passed by several States, contravening in the opinion of National legislature of the articles of the Union; and

“to call forth the force of the Union against any member of the Union failing in its duty under the articles thereof.”

Above powers were modified into a much easier way to understand as listed below:

**Power to Tax** – that congress “shall have the power to ay and collect taxes, duties, imposts and excises”;

**Power to Regulate Commerce** – Committee of Detail proposed that the Congress be given power to regulate commerce with foreign nations and among several states, subject to two imitations: ban on taxing exports and prohibition on efforts to tax or outlaw the slave trade;

**War and Treaty Power** – Congress given the power to raise and support armies, to provide and maintain Navy and to make rules for the Government and Regulation of the naval forces. It was also to provide for calling forth the Military to execute the laws of the Union, suppress Insurrections and repel Invasions;
**Special Status of Money Bills**–All bills for raising revenue shall originate in the House of Representatives, and shall be subject to alterations and amendments by the Senate; no money should be drawn from the Treasury but in consequence of appropriations made by law;

**Admission of New States** – New states could be admitted by the Congress. Congress will adhere to the principle of equality in admitting them;

**Power of Impeachment** – the convention adopted the formula for impeachment by the House, trial by the Senate, and conviction by a two-thirds vote. It also extended the grounds for impeachment from treason and bribery to “other high crimes and other misdemeanors” and made the vice president and other civil officers similarly impeachable;

**Miscellaneous Powers**—include borrowing of money; naturalization and bankruptcy, coinage, counterfeiting, post offices, copyrights, inferior tribunals, piracies and the seat of government;

**Limits on Congressional Power** - Section 9 of Article I imposed eight specific limitations on the powers of Congress. Those relating to slave trade, capitation taxes, sport taxes, preference among ports and appropriations discussed in connection with powers to tax, regulate commerce and originate money bills(de Boinville1982).
References


